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ANNUAL REPORT
OF THE
MARYLAND JUDICIARY
1990-1991

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ANNUAL REPORT OF THE MARYLAND JUDICIARY 1990-1991

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Letter of Transmittal

ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401
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STATE COURT ADMINISTRATOR
GEORGE B. RIGGIN, JR.



DEPUTY STATE COURT ADMINISTRATORS
ROBERT W. McKEEVER
FRANK BROCCOLINA

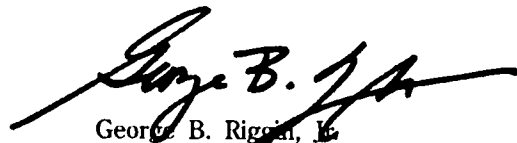
November 1, 1991

This is the fifteenth Annual Report of the Maryland Judiciary which includes the thirty-sixth Annual Report of the Administrative Office of the Courts, as required by § 13-101(d)(9) of the Courts Article. The report covers Fiscal Year 1991, beginning July 1, 1990, and ending June 30, 1991.

The report provides data on the operation and functions of the Maryland courts. It presents statistical information on both individual courts and an overview of the Maryland judicial system as a whole. Fiscal Year 1991 was a particularly difficult time for the Judiciary due to the significant fiscal problems faced by Maryland, coupled with a continued increase in court caseloads. It is hoped this report will provide a ready source of information to better understand Maryland court structure and operations.

The Administrative Office of the Courts is indebted to clerks of the appellate courts, the circuit courts of the counties and Baltimore City, and to clerks of the District Court of Maryland for their invaluable assistance in providing the statistics on which most of this report is based. My thanks to them and to all those whose talents contributed to the preparation of this publication.




George B. Riggan, Jr.
State Court Administrator

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Introduction



ROBERT C. MURPHY
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401

November 1, 1991

It is with the utmost pride that the Judicial Branch of Government has assembled, for fiscal year 1991, a detailed accounting of its stewardship of the judicial business coming before the courts of Maryland. The most perfunctory reading of the *Report* demonstrates the breadth of this undertaking; the *Report* contains so much vital information of interest to the citizens of Maryland that I am hopeful that it will serve as a truly worthwhile educational tool for all who desire to inform themselves of the activities of the Third Branch of our State Government.



Robert C. Murphy
Robert C. Murphy
Chief Judge

STATE OF THE JUDICIARY MESSAGE

State of the Judiciary Message

To a Joint Session of the General Assembly of Maryland

**Delivered by
Chief Judge Robert C. Murphy,
January 22, 1991**

Governor Schaefer, President Miller, Speaker Mitchell, Ladies and Gentlemen of the General Assembly:

This is the tenth time that I have appeared before this distinguished body to apprise you of the State of the Maryland Judiciary, the practice first having been initiated in 1972 by then Senate President Bill James and House Speaker Tom Lowe. In my past nine addresses, I have given a positively spellbinding panoramic overview, in painstaking detail—complete with statistical tables and graphs—of the work and business, the operational headaches and heartaches, of the Judicial Branch of our State Government and its adjunct agencies. In all modesty, I must say that these addresses have been very well received by those members of this body who, during my presentation, remained awake. This year I will depart from the customary format of these addresses in favor of more narrowly focused and hopefully briefer remarks, intended to fix your attention upon concerns which impact mightily upon the operation and effectiveness of the criminal and juvenile components of our justice system—urgent concerns which cry out, as never before, for your understanding, for your counsel, and for your assistance.

Before proceeding further, permit me to acknowledge the presence of my esteemed colleagues—the Judges of the Court of Appeals

of Maryland—with whom I serve upon the highest Court in our state. You should know that, taking its immediate predecessors into account, the Court has been sitting in Annapolis almost as long as the General Assembly of Maryland. Each of us traces its origin to the mid-seventeenth century, not long after the Ark and the Dove dropped anchor off St. Clements Island in 1634.

The Court's senior judge is John C. Eldridge of Anne Arundel County; next in seniority is Lawrence F. Rodowsky of Baltimore City; next to him is John F. McAuliffe of Montgomery County; next in order of seniority is Howard S. Chasanow of Prince George's County; and our newest member, appointed by Governor Schaefer on November 17, 1990, is Robert L. Karwacki of Queen Anne's County. Judge Harry A. Cole of Baltimore City, who served on the Court for thirteen years, retired on December 31, 1990 upon reaching his seventieth birthday, this being the age of constitutional senility under the Maryland Constitution. We are awaiting Judge Cole's replacement from Baltimore City; hence the absent chair.

Also present is the Chief Judge of the state's intermediate appellate court, known most inappropriately as the Court of Special Appeals, rather than as The Appellate Court of Maryland, a far more meaningful, fitting, and understandable name for this great court. Chief Judge Alan M. Wilner of Baltimore County.

Judge Raymond G. Thieme, Jr. of the Circuit Court for Anne

Arundel County is the chair of the Conference of Circuit Court Judges, which is the closest we can come under presently existing law to a Chief Judge of the twenty-four circuit courts within our state. Judge Thieme is popularly elected by the members of the Conference and, because he has been reelected on three occasions, he must be doing something very right.

Also present in the Chamber this morning is the Chief Judge of the District Court of Maryland, Robert F. Sweeney, who has held that high office since the court commenced operations in 1971. He keeps telling me that his appointment is for life and that he has no intention of dying, at least in my time. He is to the District Court of Maryland what Mutt is to Jeff—they are inseparable, forever identified as one, each mirroring the image of the other.

Finally, the newly appointed State Court Administrator is George B. Riggan, Jr. of Annapolis. He is a member of the Maryland Bar, an honor graduate of the University of Maryland School of Law, and a data processing expert with long experience in the administration of the Circuit Court for Baltimore City.

The urgent concerns of which I spoke earlier involve, primarily, the state's all-important circuit courts, of which there are twenty-four, one in each county and in Baltimore City. Unlike the state's other courts, which are totally supported by general fund appropriations from the state, circuit courts are funded entirely by the political subdivision in which each is located.

And unlike the state's other courts, circuit courts are not unified; rather, they are separate, distinct, and operate independently of one another. And again, unlike the state's two appellate courts, and the District Court of Maryland—each of which has its own Chief Judge who is vested with administrative and management authority—there is no single Chief Judge of the circuit courts of Maryland, who possesses any administrative oversight or authority over the state's fragmented circuit court system. The Circuit Court for Baltimore City, formerly known as the Supreme Bench of Baltimore, is the largest of these trial courts of general jurisdiction in Maryland; it has the most crushing caseload, the greatest number of judges, the largest nonjudicial support staff, and the most pressing needs for funds if it is to survive and operate with some degree of efficiency.

The state's circuit courts are on the front line of the war against crime and juvenile delinquency. More than any other court level, circuit courts are confronted with the terrible carnage wrought upon our people by the illicit drugs which infest and haunt our communities and threaten, as never before, to totally undermine law and order in our society. Indeed, statistics at both the national and state level indicate that as much as 85% of all crime results from or is causally related to trafficking, distribution and use of illegal drugs, including alcohol.

I need not tell you that nothing is of more critical concern to our citizens than crime, the courts, and the public demand that those who break our criminal laws must come

to expect swift arrest, prompt trial, and certain punishment.

In their frustration with society's inability to control crime and to remove the criminal element from our midst, our citizens all too often believe the problem lies with our judges, who are excessively concerned with the rights of the

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criminal, while ignoring the rights of victims. Some say that because judges are soft on crime, our leniency plays a part in the number of habitual and violent criminals who roam our streets and are virtually laying siege to our society. None of this is true. Maryland judges share the horror of our people at the criminal violence that besets our state and nation. Maryland judges

no matter where we make our homes, all of us are potential victims of crime, for the long trigger finger of the killer, and the grasping hand of the thief, reach into every community, every village, and every neighborhood in our state. Maryland judges—and we now number 237, excluding Or-

phans' Court judges—are fully cognizant that our citizens must be permitted to live in safety and security, their minds and bodies at peace. Judges do deal severely with those who are convicted of criminal acts, particularly crimes of violence. Indeed, as of November 23, 1990, our state prisons housed 17,334 inmates, each of whom was sentenced to those institutions by a Maryland judge. By Fiscal Year 1995, the projected inmate population in these institutions will

rise to 20,389.

With each of you, we recoil and join in the cry of pain for the young robbery victim, a husband and father, who, according to media reports, pleaded for his life while his killers, their robbery completed, proceeded to murder him in cold blood, in an act described by the investigating police officer as being "just for fun." Like

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do not live in high-walled estates or secluded countryside retreats. Like you, we live among our people and

you, we seethe, with a helpless raging fury, at the evil mind that could pick a yellow school bus as a rifle

target, and rob a child of her life, and rob her family of its child. We, like you, are stunned and outraged at the mindless stoning of passing automobiles, where a totally innocent young woman was paralyzed, perhaps permanently, by profitless violence perpetrated by strangers against strangers. And we judges, like you, say "why, why," as we read of the drive-by shooting of innocent pedestrians, slaughtered by gunfire from passing vehicles. And we look aghast upon the news account of the Molotov-cocktail fire bombing of a row house in the middle of the night where six children slept—precipitated by a dispute over drugs.

These brutal, savage, barbaric crimes, all too common, against the State of Maryland and our people, are the daily staple which comes up for trial everyday in our circuit courts and in every corner of our state. These are crimes perpetrated against the body politic as a whole, not merely against a municipality, a particular county, or against the people of those political subdivisions. Daniel Webster once said that "Justice is man's great concern on earth; it is the ligament which holds civilized beings and society together." The administration of justice is thus a state, not a local function. To the fullest measure possible, it must be supported from state, not local appropriations and governed accordingly.

My purpose today is to impress upon you that, in the broad public interest, the administration of criminal and juvenile justice must be afforded the highest possible priority in the expenditure of state funds if our society is to endure. In so stating, I am mindful of the great issues which now face you, the great needs of our people in the fields of education, transportation, the environment, to mention but a few. I ask nevertheless that you not lose sight of the fact that the per-

ception of this state is shaped in large part by the effectiveness of its justice system and, in particular by its courts. Consider the plight of our circuit courts—the very heart and soul of our Judiciary. The success of their mission is largely dependent upon well-functioning, adequately funded executive branch agencies and officials, both state and local with which circuit

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courts must interact, day-in and day-out, to fulfill their constitutionally mandated responsibilities. I speak of prosecutors, public defenders, local police forces, sheriffs, parole and probation officers, of local jails and detention facilities, and of state correctional personnel and facilities. Each plays a critical part in the operation of the system; thus if one component falters or misfires, it impacts adversely, sometimes fatally, upon the others, at times causing serious dislocations in the ability of the circuit courts to administer justice fairly and efficiently.

Funding for these component parts, upon which circuit courts necessarily rely, is uneven, uncertain, a real mishmash. As I have said, all courts in Maryland, except the circuit court and Orphans' Courts, are funded in their entirety from state appropriations. All judges of the state, including circuit court judges but excluding Or-

phans' Court judges, are paid from state funds, as are public defenders, parole, probation and state correctional officers, their juvenile justice counterparts, and all those who staff the offices of the clerks of the circuit courts. Prosecutors, on the other hand, are the funding responsibility of each political subdivision, as are sheriffs, local police, local jail and detention personnel, the expenses of operating these institutions and facilities, and that large number of clerical and administrative personnel who staff the circuit courts, but who are not part of the Circuit Court Clerks' Offices. To sustain the system, a fully reliable funding source is essential for each segment because the level of financial support, or lack of it, whether from the state or from the political subdivisions, determines whether the criminal and juvenile justice systems in our state can operate effectively and efficiently. There are, as you know, extreme disparities in fiscal resources among the state's political subdivisions, which affect the quality of justice in those localities. Moreover, their legislative and budgetary policies all too often frustrate the ability of the circuit courts to perform their vital service to the public.

In past years, a number of different committees and commissions have proposed, unsuccessfully, that the twenty-four circuit courts be consolidated into a single circuit court, with its own Chief Judge, and fully funded by the State. These groups have repeatedly noted that circuit court expenditures and cost per case patterns between the different subdivisions demonstrate that we pay a serious price for the historic localism of these courts in terms of even-handed justice throughout the state. State assumption of circuit court costs is consistent with the general perception that these courts are the

state's responsibility; it would remove a substantial financial burden from hard-pressed political subdivisions, and would not stifle local initiative or judicial independence.

sociation of Baltimore City convened by David Skeen, its President, and chaired by the distinguished lawyer, George L. Russell, Jr., himself a former circuit court

last year, when one additional judgeship was created by the General Assembly, the city declined to provide any funding for the judge's support staff. The Russell Committee predicts that even if funding is found to maintain the current expenditure level, the circuit court may be unable to try any civil cases at all three or five years from now, because of the necessity to give priority to criminal cases.

The report quotes Administrative Judge Joseph H. H. Kaplan as stating that because of increased costs and city budgetary problems for Fiscal 1992, the budget allocated for the Circuit Court for Baltimore City will be exhausted after only ten months have expired, and that the court will be forced to close its doors for May and June of 1992 unless additional revenues are provided from some source.

Consistent with earlier committee recommendations, the Russell Committee recommends that the state assume the total cost of funding the circuit courts, and the State's Attorneys' Office as well.

Opponents of state assumption suggest that state funding is anything but a panacea. For comparison, they observe that the Governor and General Assembly, in their budget deliberations, have consistently underfunded the District Court of Maryland, as well as other state-funded judicial functions. This is not my experience over the last eighteen years. Indeed, al-

"State assumption of circuit court costs is consistent with the general perception that these courts are the state's responsibility; it would remove a substantial financial burden from hard-pressed political subdivisions, and would not stifle local initiative or judicial independence."

I share this view. Of course, state funding of the circuit courts need not be accomplished in a single thrust, but could be phased in over a period of years, thus lessening the immediate impact on the state budget. In the same vein, and for the same reasons, state assumption of all locally funded components of the criminal and juvenile justice systems, e.g., prosecutors, sheriffs, jail costs, would achieve even greater benefits and remove the uncertainties inherent in reliance upon local funding.

It is now fully apparent to the members of this body that in a number of counties and Baltimore City, there is a growing inability to properly fund these expenses. As to Baltimore City, my message today is even more urgent than that conveyed to you last year when I expressed great trepidation that absent state-funding support, the City could become a sanctuary for criminal predators to ply their nefarious trade secure in the belief that the likelihood of swift arrest, prosecution and prompt trial, and certain punishment was slight.

One need not be a resident of Baltimore City—and I am not—to appreciate the extraordinary position that that metropolis holds in this state's business, economic, and social structure.

Within the past several weeks, a special committee of the Bar As-

judge, submitted a report entitled, "The Drug Crisis and Underfunding of the Justice System in Baltimore City." That report contains frightening and prophetic words. First of all, it points out that the backlog of untried felony defendants in the Circuit Court for Baltimore City has increased from 1,400 to 2,300 in the last year alone; over 1,000 of these defendants clog the City Jail as they await their trials. The report points out that for 50% of Maryland's prison population the sentencing jurisdiction is Baltimore City where the crimes were committed.

The committee notes that 10,000 more drug prosecutions occur in Baltimore City than in the three next largest jurisdictions combined, even though the population of those other jurisdictions—Montgomery, Prince George's and Baltimore Counties—is approximately three times that of Balti-

"Consistent with earlier committee recommendations, the Russell Committee recommends that the state assume the total cost of funding the circuit courts, and the State's Attorneys' Office as well."

more City. The committee further concludes that the Circuit Court for Baltimore City needs seven additional judges, and points out that

though we are seldom successful in obtaining everything we desire, there has never been a year in which the state has not fully met its

obligation to properly fund the state-supported courts, including the District Court.

But whatever governmental entity or entities pays society's staggering bills to operate its criminal and juvenile justice systems, it is economic suicide, both in the short and in the long view, to stint on the resources essential to adjudicate the flood of cases that come before the courts. Without prosecutors, without public defenders, without judges and the requisite support staffs in sufficient numbers, these cases simply cannot be brought to trial and failure to do so will have dire consequences. Jail overcrowding becomes even more nightmarish, with many hard-core and violent criminals likely released, of necessity, from confinement pending trial, with all the attendant risks to the public safety. Moreover, failure to bring these cases to trial within statutory and constitutional speedy trial time limits results in dismissal of all charges with prejudice. In other words, individuals guilty of some of the most heinous crimes may simply walk away—free to renew their criminal enterprises. To so impair public safety, to so endanger our citizens, is particularly demoralizing to our police forces and to those on the front lines of the war against crime.

We know that crime and juvenile delinquency is, in the largest part, the product of substance abuse; indeed, the correlation be-

duct among substance abusers is well demonstrated by the 1981 Report of the Governor's Task Force on Addiction and the Criminal Justice System. This report revealed

"Touching on several other matters of interest to you, I again suggest the need to authorize six-person juries in civil cases in the circuit courts. This reform would, in addition to saving public funds, increase jury efficiency without compromising justice one whit."

that a study of 237 male heroin addicts in Baltimore City over an eleven-year period disclosed that these individuals committed over 500,000 crimes, not including their own personal drug use. And these were in the days before crack-cocaine, the most addictive of our drugs, arrived on the scene. That same Governor's Task Force, now ten years old, pronounced that the overall cost to society of failing to provide adequate treatment for substance abusers, in terms of both the damage done by their criminal behavior and the expense of catching and recatching, processing and reprocessing, incarcerating and reincarcerating, supervising and resupervising them, far exceeded the costs of adequate treatment, once again suggesting the wisdom of additional treatment and rehabilitation programs, so well spearheaded by Governor Schaefer when he first took office in 1986.

circuit courts. This reform would, in addition to saving public funds, increase jury efficiency without compromising justice one whit. Secondly, pursuant to constitu-

tional mandate and your implementing statute, the Court of Appeals will shortly adopt rules governing the administration of the offices of the clerks of the circuit courts, including budgetary and personnel matters. I have met several times with the Clerks since the enactment of these legislative initiatives, listened carefully to their advice, and greatly value their cooperation.

As to the crisis in the disposition of asbestos cases, as of January 15, 1991, a total of 9,095 personal injury cases had been filed. Through the remarkable achievements of Judge Marshall Levin, a retired judge of the Circuit Court for Baltimore City, a series of consolidated trials will begin this spring which, hopefully, will provide the needed compass to enable us to begin to conclude this massive tort litigation. His success may provide a means to avoid thousands of lengthy trials which otherwise would badly drain our ability to try other civil cases.

I might also suggest to this body the wisdom of creating a study commission to assess the worth and effectiveness of your 1978 capital punishment statute, in light of its extraordinarily high costs, the difficulties so readily apparent in its constitutional implementation, and the countless hours

"Without prosecutors, without public defenders, without judges and the requisite support staffs in sufficient numbers, these cases simply cannot be brought to trial and failure to do so will have dire consequences."

tween substance abuse and criminal activity is far worse than most of us realize. That there is a staggering propensity for criminal con-

Touching on several other matters of interest to you, I again suggest the need to authorize six-person juries in civil cases in the

committed by prosecutors, public defenders, and the courts to the trial of these cases—hours that might be more productively devoted to the trial of violent, non-capital felony offenses.

Finally, if you will permit me a personal note, Chief Judge Richard P. Gilbert of the Court of Special Appeals has retired from judicial service after nineteen years of the most exceptional and distinguished service. To my knowledge, no appellate judge in the history of our state has written more opinions, or has had a greater impact on the law, or has done more to shape its

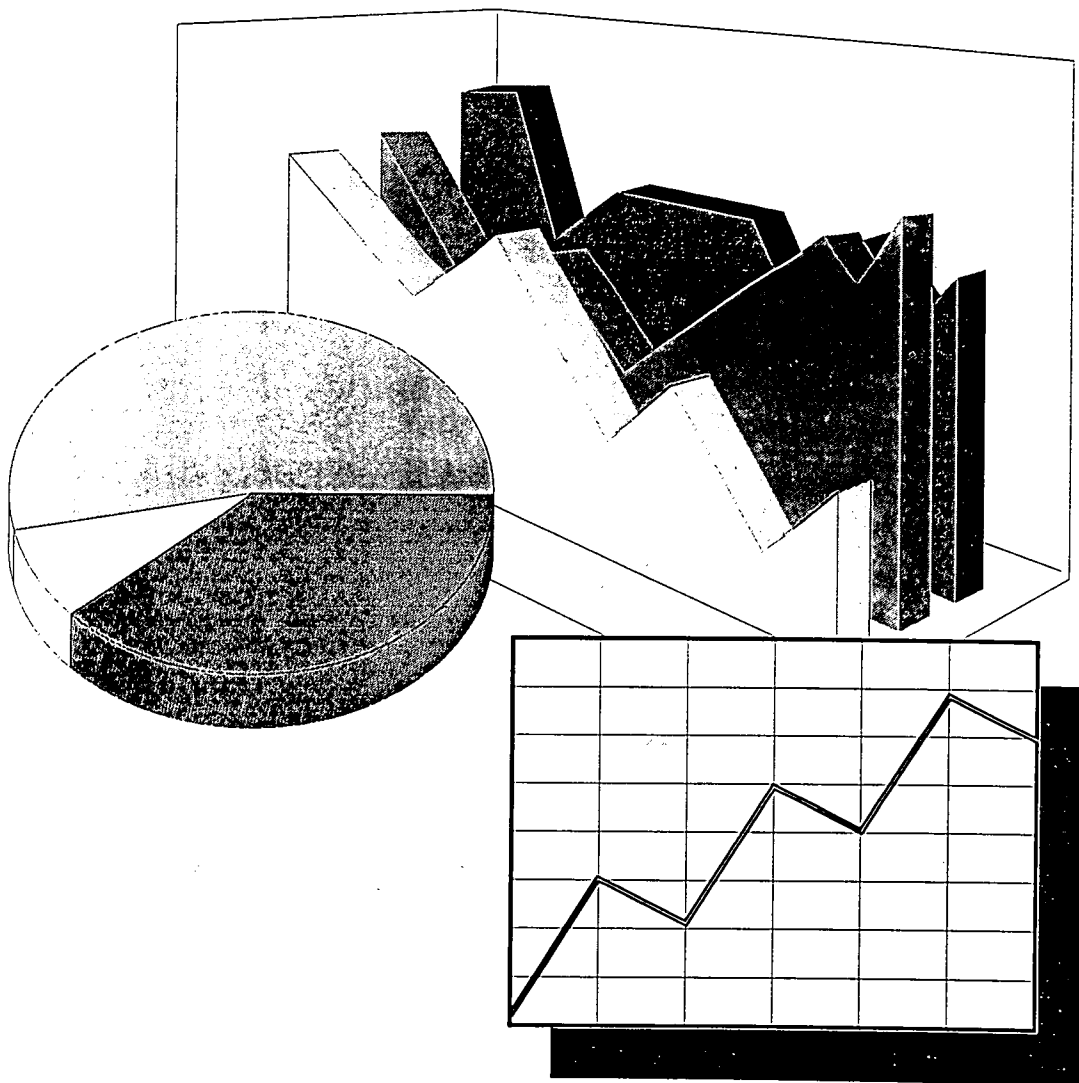
contours, than has Chief Judge Gilbert. He is a man of the most uncommon and extraordinary talent, and he will be sorely missed.

In a like vein, it is with the greatest sadness that I report to you the sudden death of Margaret L. (Penny) Kostritsky who, since the inception of the District Court in 1971, has been its Chief Clerk. While unknown to many of you, Penny was the most widely-heralded, the most remarkable, dedicated, industrious, capable, nonjudicial star in our Judicial Branch galaxy. More than any other individual outside our judicial ranks,

she is responsible for the great progress that the District Court of Maryland has achieved over the past twenty years of its existence. She will be missed like no other.

When I began this address, I said that I would be brief. Quite frankly, I lied. For this, I extend profuse apologies, coupled with my deep thanks, and those of all judges and nonjudicial personnel who comprise the Maryland Judiciary, for your kind invitation to enter these historic chambers to express these widely-shared views on such vital concerns to us all.

JUDICIAL REVENUES AND EXPENDITURES



Judicial Revenues and Expenditures

State and local costs to support the operations of the judicial branch of government were approximately \$174.4 million in Fiscal 1991. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts; the District Court of Maryland; the clerks' offices and headquarters of the several courts; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; and the Commission on Judicial Disabilities. There were 237 judicial positions as of June 30, 1991 and 3,387 nonjudicial positions in the judicial branch.

The state-funded judiciary budget operates on a program budget and expended \$136,021,216 in the twelve-month period ending June 30, 1991. The two appellate courts and the clerks' offices are funded by two programs. The circuit court program contains the compensation, travel, and educational costs for circuit court judges which totals \$18,015,969, and the costs to operate the circuit court clerks' offices of \$39,581,906, all which totaled \$57,597,875. This is the first year that the costs for these offices are in the judicial budget. As a result of the ratification of a constitutional amendment in November, 1990, they have been transferred from the executive to the judicial budget. The largest program is the state-funded District Court which expended \$61,249,112. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. Re-

Judicial Branch Personnel in Profile	
Judicial Personnel	
Court of Appeals	7
Court of Special Appeals	13
Circuit Court	120
District Court	97
Nonjudicial Personnel	
Court of Appeals	37
Court of Special Appeals	72
District Court	1,161
Administrative Office of the Courts	147.5
Court-Related Offices	
State Board of Law Examiners	5
Standing Committee on Rules of Practice and Procedure	3
State Law Library	12
State Reporter	2
Circuit Courts—Local Funding	808.6
Circuit Courts—Allocated Positions	1,139.5
Total	3,624.6*
*Includes allocated and contractual positions	

maining programs fund the Administrative Office of the Courts, the Maryland State Law Library, Judicial Data Processing, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments paid by lawyers entitled to practice in Maryland. These supporting funds are not included in the judicial budget.

The figures and tables show the state revenues and expenditures for Fiscal 1991. All revenue is remitted to the State's general fund and can-

not be used to offset expenditures. Appearing for the first time in the table is the revenue the circuit court clerks collected for court-related and noncourt-related activities and remitted to the state's general fund. In Fiscal 1991, it was \$85,973,458 for transfer taxes, commissions on land record transactions, state licenses, and court costs. In addition, the clerks' offices remitted \$129,165,254 to local governments for recordation taxes, licenses and court fines. The District Court remitted \$61,341,883 in fees, fines, and costs to the state general fund in Fiscal 1991.

The total state budget was approximately \$11.5 billion in Fiscal 1991. The illustration reflects that

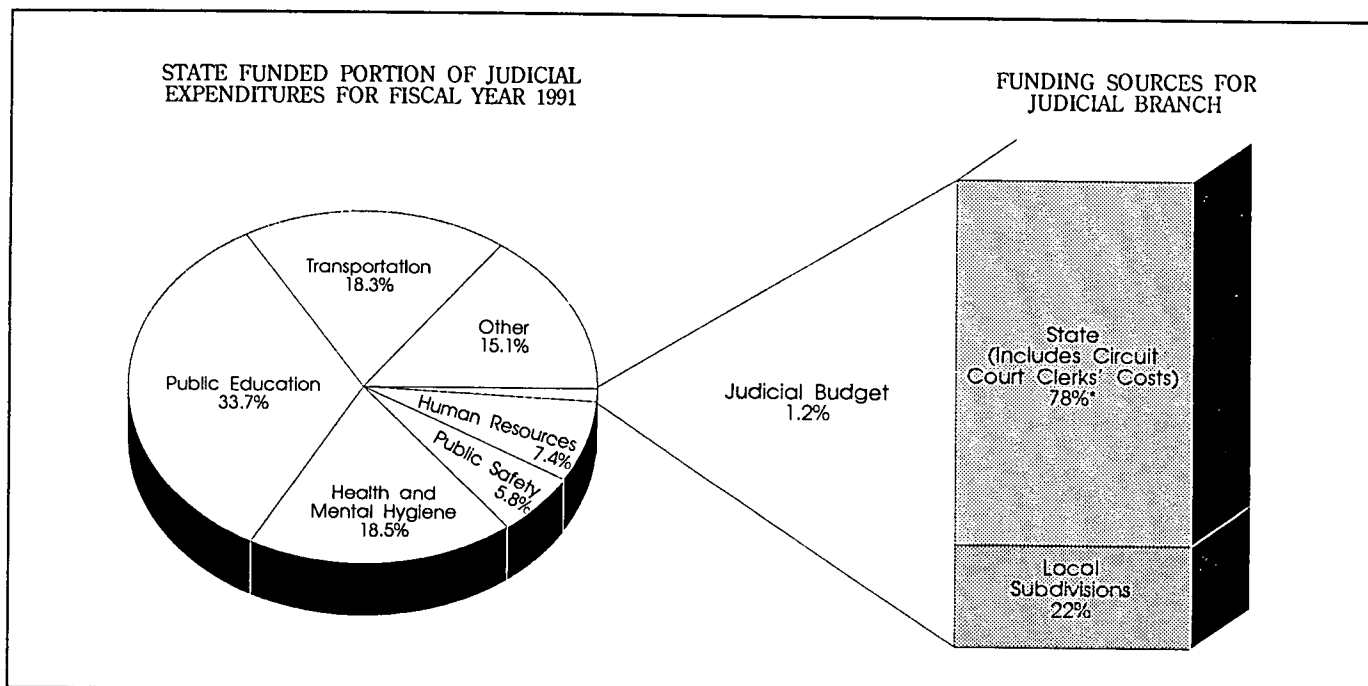
the state-funded judicial budget consumes a small percentage of the entire state budget, approximately 1.2 percent.

Other costs of the circuit courts come from local appropriations by Maryland's 23 counties and Baltimore City. In Fiscal 1991, these appropriations were approximately \$38.4 million. Court-related reve-

nues collected by the circuit courts from sources other than fines, forfeitures, and appearance fees are minimal. This money comes from such sources as fees and charges in domestic relations matters and service charges in collecting non-support. Fines, forfeitures and certain appearance fees are returned to the subdivisions for various pur-

poses, primarily for the support of the local court library.

The chart illustrating the contributions by the State and the local subdivisions to support the judicial branch of government shows that the State portion accounts for approximately 78 percent of all costs, while the local subdivisions account for 22 percent.



State Funded Judicial Budget

Revenues*

Program	Actual FY 1989	Actual FY 1990	Actual FY 1991
Court of Appeals	\$ 58,286	\$ 59,287	\$ 71,245
Court of Special Appeals	72,607	74,530	75,443
Circuit Court	—	—	85,973,458
District Court	57,498,744	58,890,239	61,341,883
State Board of Law Examiners	398,124	407,898	418,719
TOTAL	\$58,027,761	\$59,431,954	\$147,880,748

*Please refer to narrative for explanation of revenues.

Expenditures

Program	Actual FY 1989	Actual FY 1990	Actual FY 1991
Court of Appeals	\$ 2,096,298	\$ 2,255,447	\$ 2,196,777
Court of Special Appeals	3,758,778	4,074,382	4,242,621
Circuit Courts	15,023,573	17,597,653	57,597,875*
District Court	51,735,118	54,257,834	61,249,112
Maryland Judicial Conference	63,398	72,161	5,125**
Administrative Office of the Courts	1,573,334	1,859,474	1,593,622
Court-Related Agencies	726,051	728,961	713,594
Maryland State Law Library	518,478	617,659	649,614
Judicial Data Processing	6,366,636	6,946,605	7,772,876
TOTAL	\$81,861,664	\$88,410,176	\$136,021,216

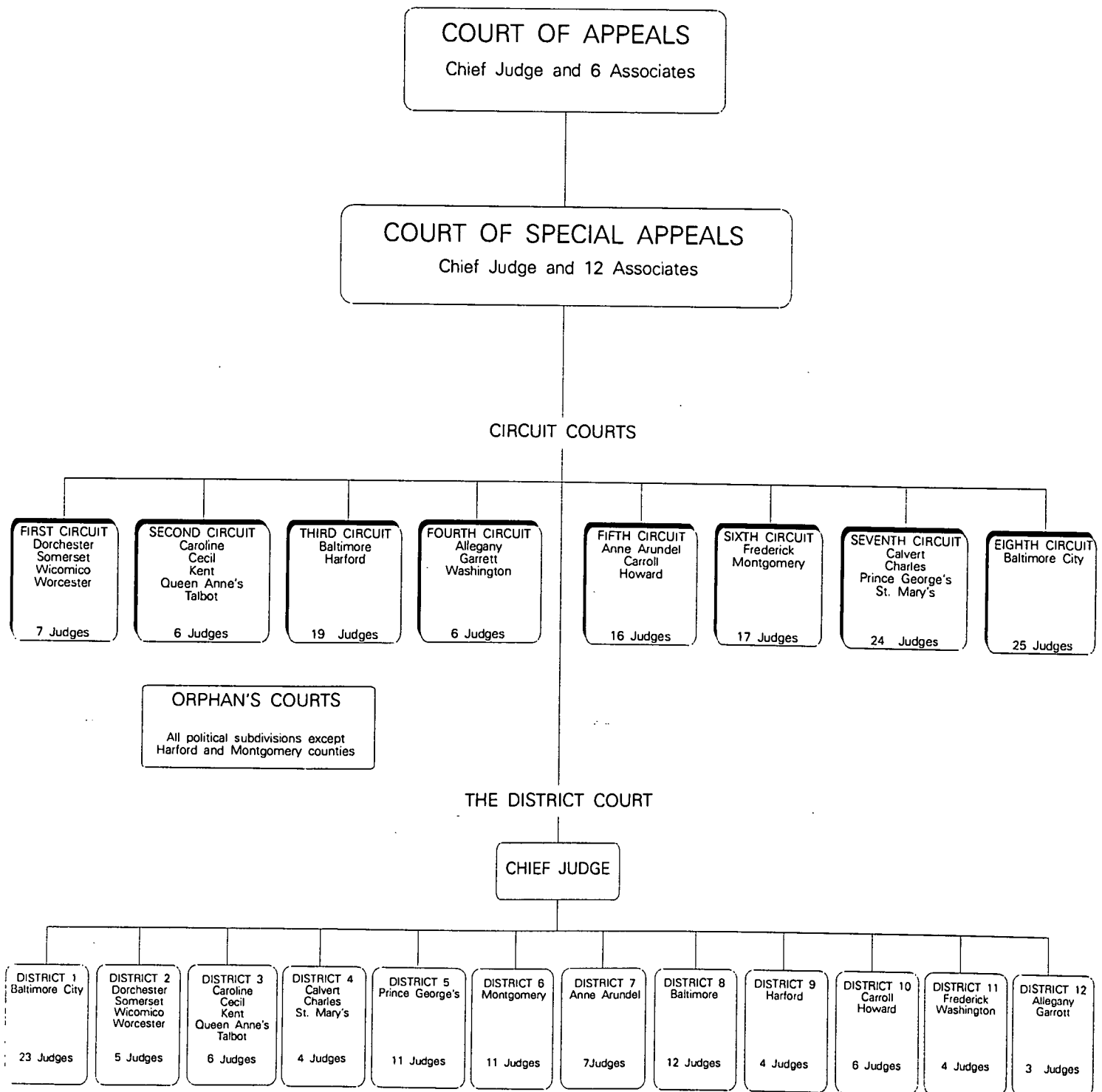
*Includes circuit court clerks' for the first time in the circuit court program.

**Due to fiscal constraints the annual Maryland Judicial Conference was not held in 1991.

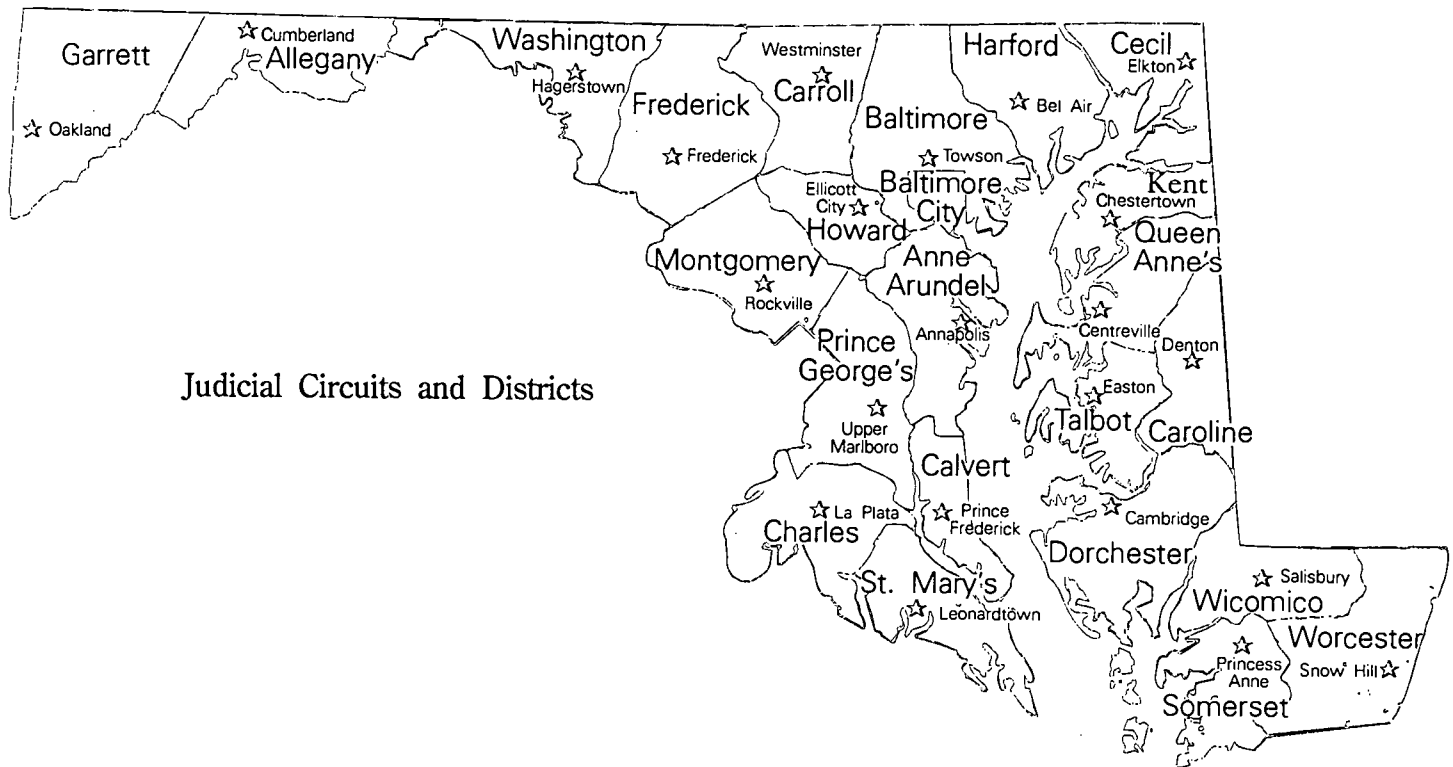
THE MARYLAND JUDICIAL SYSTEM



THE MARYLAND JUDICIAL SYSTEM FISCAL 1991



STATE OF MARYLAND



Judicial Circuits and Districts

JURISDICTIONS INCLUDED IN APPELLATE CIRCUITS

First Appellate Circuit—Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester

Second Appellate Circuit—Baltimore and Harford

Third Appellate Circuit—Allegany, Frederick, Garrett, Montgomery, and Washington

Fourth Appellate Circuit—Calvert, Charles, Prince George's, and Saint Mary's

Fifth Appellate Circuit—Anne Arundel, Carroll, and Howard

Sixth Appellate Circuit—Baltimore City

JURISDICTIONS INCLUDED IN JUDICIAL CIRCUITS

First Judicial Circuit—Dorchester, Somerset, Wicomico, and Worcester

Second Judicial Circuit—Caroline, Cecil, Kent, Queen Anne's, and Talbot

Third Judicial Circuit—Baltimore and Harford

Fourth Judicial Circuit—Allegany, Garrett, and Washington

Fifth Judicial Circuit—Anne Arundel, Carroll, and Howard

Sixth Judicial Circuit—Frederick and Montgomery

Seventh Judicial Circuit—Calvert, Charles, Prince George's, and Saint Mary's

Eighth Judicial Circuit—Baltimore City

JURISDICTIONS INCLUDED IN DISTRICT COURT DISTRICTS

First District—Baltimore City

Second District—Dorchester, Somerset, Wicomico, and Worcester

Third District—Caroline, Cecil, Kent, Queen Anne's, and Talbot

Fourth District—Calvert, Charles, and Saint Mary's

Fifth District—Prince George's

Sixth District—Montgomery

Seventh District—Anne Arundel

Eighth District—Baltimore

Ninth District—Harford

Tenth District—Carroll and Howard

Eleventh District—Frederick and Washington

Twelfth District—Allegany and Garrett

Members of the Maryland Judiciary as of September 25, 1991

THE APPELLATE COURTS

The Court of Appeals

Hon. Robert C. Murphy, CJ (2)
Hon. John C. Eldridge (5)
Hon. Lawrence F. Rodowsky (6)

Hon. John F. McAuliffe (3)
Hon. Howard S. Chasanow (4)

Hon. Robert L. Karwacki (1)
Hon. Robert M. Bell (6)

The Court of Special Appeals

Hon. Alan M. Wilner, CJ (At large)
Hon. Charles E. Moylan, Jr. (At large)
Hon. John J. Bishop, Jr. (At large)
Hon. John J. Garrity (4)
Hon. Paul E. Alpert (2)

Hon. Theodore G. Bloom (5)
Hon. Rosalyn B. Bell (At large)
Hon. William W. Wenner (3)
Hon. Robert F. Fischer (At large)

Hon. Dale R. Cathell (1)
Hon. Arrie W. Davis (6)
Hon. Diana G. Motz (6)
Hon. Glenn T. Harrell, Jr. (At large)

THE CIRCUIT COURTS

First Judicial Circuit

*Hon. Alfred T. Truitt, Jr., CJ
Hon. Theodore R. Eschenburg
Hon. Donald F. Johnson
Hon. D. William Simpson
Hon. Richard D. Warren
Hon. Thomas C. Groton, III
Hon. Daniel M. Long

Second Judicial Circuit

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*Hon. J. Owen Wise
Hon. Edward D.E. Rollins, Jr.
Hon. John W. Sause, Jr.
Hon. William S. Horne
Hon. J. Frederick Price

Third Judicial Circuit

*Hon. Edward A. DeWaters, Jr., CJ
Hon. William R. Buchanan, Sr.
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. Cypert O. Whitfill
Hon. Leonard S. Jacobson
Hon. William O. Carr
Hon. Joseph F. Murphy, Jr.
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II
Hon. Maurice W. Baldwin, Jr.
Hon. Stephen M. Waldron
Hon. Barbara Kerr Howe
Hon. Alfred L. Brennan, Sr.
Hon. Christian M. Kahl
Hon. Thomas J. Bollinger, Sr.
Hon. J. Norris Byrnes
Hon. Robert E. Cahill

Fourth Judicial Circuit

Hon. Frederick A. Thayer, III, CJ
Hon. John P. Corderman
*Hon. Frederick C. Wright, III
Hon. J. Frederick Sharer
Hon. Daniel W. Moylan
Hon. Gary G. Leasure
Vacancy

Fifth Judicial Circuit

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*Hon. Raymond G. Thieme, Jr.
Hon. H. Chester Goudy, Jr.
Hon. Luke K. Burns, Jr.
Hon. Eugene M. Lerner
Hon. Martin A. Wolff
Hon. James C. Cawood, Jr.
Hon. Raymond J. Kane, Jr.
Hon. Robert H. Heller, Jr.
Hon. Cornelius F. Sybert, Jr.
Hon. Warren B. Duckett, Jr.
Hon. James B. Dudley
Hon. Raymond E. Beck, Sr.
Hon. Lawrence H. Rushworth
Hon. Francis M. Arnold
Hon. Dennis M. Sweeney

Sixth Judicial Circuit

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Hon. William M. Cave
Hon. James S. McAuliffe, Jr.
Hon. Irma S. Raker
Hon. William C. Miller
Hon. L. Leonard Ruben
Hon. DeLawrence Beard
Hon. G. Edward Dwyer, Jr.
Hon. Peter J. Messitte

Hon. J. James McKenna
Hon. Mary Ann Stepler
Hon. Paul H. Weinstein
Hon. Vincent E. Ferretti, Jr.
Hon. Paul A. McGuckian
Hon. Jerry H. Hyatt
Hon. James L. Ryan
Hon. Herbert L. Rollins
Vacancy

Seventh Judicial Circuit

*Hon. Ernest A. Loveless, Jr., CJ
Hon. William H. McCullough
Hon. Jacob S. Levin
Hon. George W. Bowling
Hon. Robert J. Woods
Hon. Vincent J. Femia
Hon. Robert H. Mason
Hon. Audrey E. Melbourne
Hon. David Gray Ross
Hon. James M. Rea
Hon. Richard J. Clark
Hon. Arthur M. Ahalt
Hon. G. R. Hovey Johnson
Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. John H. Briscoe
Hon. Graydon S. McKee, III
Hon. Thomas A. Rymer
Hon. William D. Missouri
Hon. Robert C. Nalley
Hon. James P. Salmon
Hon. Marvin S. Kaminetz
Hon. Steven I. Platt
Hon. Larnzell Martin, Jr.
Vacancy

*Circuit Administrative Judge

THE CIRCUIT COURTS (Continued)***Eighth Judicial Circuit***

Hon. Robert I. H. Hammerman, CJ
 Hon. David Ross
 *Hon. Joseph H. H. Kaplan
 Hon. Elsbeth Levy Bothe
 Hon. Joseph I. Pines
 Hon. John Carroll Byrnes
 Hon. Kenneth Lavon Johnson
 Hon. Thomas Ward

Hon. Edward J. Angeletti
 Hon. Thomas E. Noel
 Hon. David B. Mitchell
 Hon. Hilary D. Caplan
 Hon. Kathleen O'Ferrall Friedman
 Hon. Marvin B. Steinberg
 Hon. Clifton J. Gordy, Jr.
 Hon. Mabel H. Hubbard
 Hon. John N. Prevas

Hon. Ellen M. Heller
 Hon. Roger W. Brown
 Hon. John C. Themelis
 Hon. Richard T. Rombro
 Hon. Ellen L. Hollander
 Hon. Paul A. Smith
 Hon. Andre M. Davis
 Hon. Joseph P. McCurdy, Jr.
 *Circuit Administrative Judge

THE DISTRICT COURT OF MARYLAND***District Court***

Hon. Robert F. Sweeney, CJ

District 1

Hon. Robert J. Gerstung
 Hon. Martin A. Kircher
 Hon. Alan M. Resnick
 Hon. Richard O. Motsay
 Hon. Alan B. Lipson
 Hon. George J. Helinski
 *Hon. Mary Ellen T. Rinehardt
 Hon. Charlotte M. Cooksey
 Hon. H. Gary Bass
 Hon. Keith E. Mathews
 Hon. Askew W. Gatewood, Jr.
 Hon. Alan J. Karlin
 Hon. Carol E. Smith
 Hon. David W. Young
 Hon. Theodore B. Oshrine
 Hon. Kathleen M. Sweeney
 Hon. Teaette S. Price
 Hon. Barbara B. Waxman
 Hon. Jamey H. Weitzman
 Hon. Yvonne Holt-Stone
 Vacancy
 Vacancy
 Vacancy

District 2

Hon. Robert D. Horsey
 *Hon. John L. Norton, III
 Hon. Robert S. Davis
 Hon. Richard R. Bloxom
 Hon. Lloyd O. Whitehead

District 3

Hon. L. Edgar Brown
 Hon. John T. Clark, III
 Hon. H. Thomas Sisk, Jr.
 Hon. William H. Adkins, III

*Hon. James C. McKinney
 Hon. Harry J. Goodrick

District 4

Hon. C. Clarke Raley
 *Hon. Larry R. Holtz
 Hon. Gary S. Gasparovic
 Hon. Stephen L. Clagett

District 5

Hon. Sylvania W. Woods
 Hon. Francis A. Borelli
 Hon. Theresa A. Nolan
 Hon. C. Philip Nichols, Jr.
 Hon. Gerard F. Devlin
 Hon. John F. Kelly, Sr.
 Hon. Thurman H. Rhodes

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 Hon. Sherrie L. Krauser
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 Hon. John C. Tracey
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 Hon. Henry J. Monahan
 Hon. Louis D. Harrington
 Hon. Edwin Collier
 Hon. Cornelius J. Vaughey
 Hon. Ann S. Harrington
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 Hon. Patrick L. Woodward
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District 7

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 *Hon. Clayton Greene, Jr.
 Hon. Joseph P. Manck
 Hon. Martha F. Rasin
 Hon. Michael E. Loney

Hon. Vincent A. Mulieri
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 *Hon. John H. Garmer
 Hon. Patricia S. Pytash
 Hon. A. Gordon Boone, Jr.
 Hon. Charles E. Foos, III
 Hon. Lawrence R. Daniels
 Hon. I. Marshall Seidler
 Hon. John C. Coolahan
 Hon. Michael L. McCampbell
 Hon. Barbara R. Jung
 Hon. G. Darrell Russell

District 9

*Hon. John S. Landbeck, Jr.
 Hon. Lawrence S. Lanahan, Jr.
 Hon. John L. Dunnigan
 Vacancy

District 10

Hon. Donald M. Smith
 Hon. R. Russell Sadler
 *Hon. James N. Vaughan
 Hon. Lenore R. Gelfman
 Hon. Louis A. Becker, III
 Hon. JoAnn M. Ellinghaus-Jones

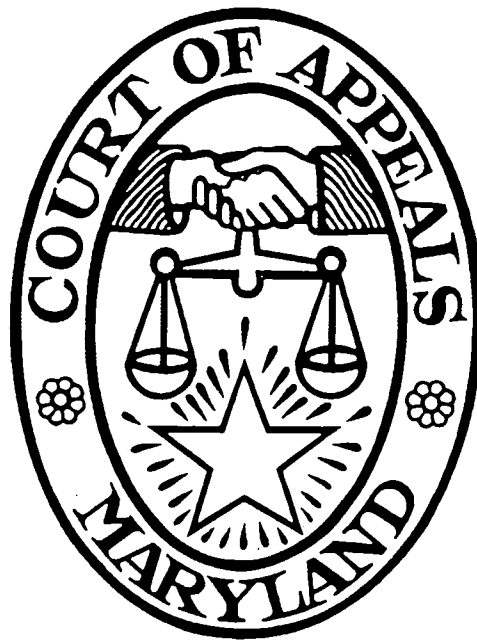
District 11

Hon. Darrow Glaser
 Hon. James F. Strine
 *Hon. Frederick J. Bower
 Hon. William Milnor Roberts

District 12

*Hon. Paul J. Stakem
 Hon. Jack R. Turney
 Hon. W. Timothy Finan
 *District Administrative Judge

THE COURT OF APPEALS



The Court of Appeals

Introduction

The Court of Appeals is the highest tribunal in the State of Maryland. It was created by the Constitution of 1776. In the early years of its existence, the Court sat in various locations throughout the State, but since 1851, it has sat only in Annapolis. The Court is composed of seven judges, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). After initial appointment by the Governor and confirmation by the Senate, members of the Court run for office on their records, unopposed. If a judge's retention in office is rejected by the voters or there is a tie vote, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

As a result of legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari, a discretionary review process. That process has resulted in the reduction of the Court's formerly excessive workload to a more manageable level, thus allowing the Court to devote more time to the most important and far-reaching issues.

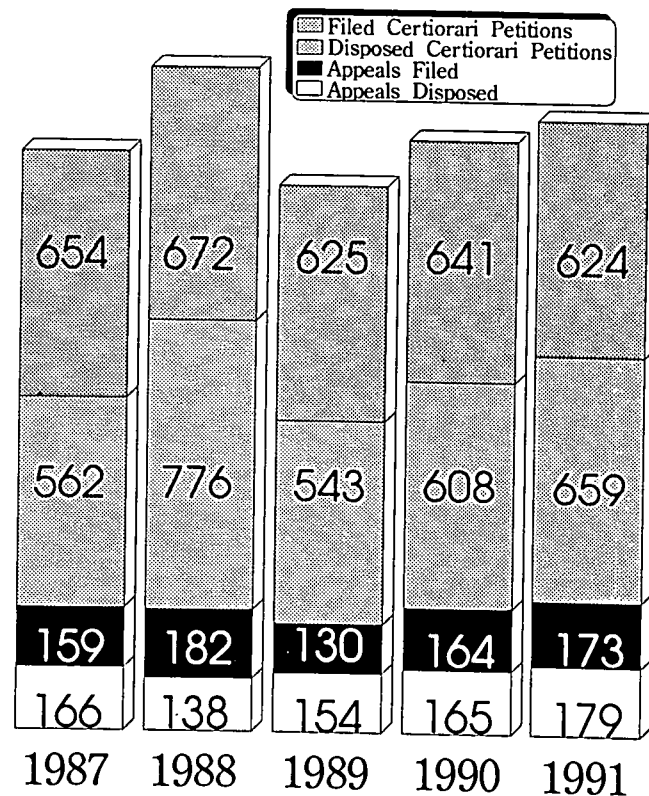
The Court may review cases already decided by the Court of Special Appeals or bring up for review cases filed in that court before they are decided. In addition, the Court of Appeals has exclusive jurisdiction over appeals in which a

sentence of death is imposed. The Court of Appeals may also review cases from the circuit court level if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which will have the force of law. In addition, it admits persons to the practice of law, reviews recommendations of the

State Board of Law Examiners, and conducts disciplinary proceedings involving members of the bench and bar. The Court of Appeals may also decide questions of law certified by federal and other state appellate courts.

A comparative view of the last five fiscal years with respect to Regular Docket and Certiorari Petition filings and dispositions is depicted in Table CA-1. Filings and

TABLE CA-1
COURT OF APPEALS
APPEALS ACTUALLY FILED AND
TERMINATED WITHIN FISCAL YEAR



dispositions in both categories have fluctuated over the past five years. During Fiscal 1991, the Court recorded the lowest number of certiorari petitions since Fiscal 1986 when 607 petitions were filed. However, the second highest number of regular docket filings were recorded over the same period of time. Regular docket dispositions

and certiorari petition dispositions increased by 8.5 percent and 8.4 percent, respectively, over the Fiscal 1990 levels.

Filings

The incoming workload in the Court of Appeals for Fiscal Year 1991 was formed by matters filed on the September 1990 docket. Fil-

ings received from March 1 through February 28 were entered on the September Term docket for argument during the period from the second Monday in September to the beginning of the next term. In this report, filings are counted by Term, March 1 through February 28, while dispositions are counted by fiscal year, July 1 through June 30 in the appellate courts.

The Court docketed a total of 905 filings during the September 1990 Term, an increase of two percent over the previous year. Included in the total filings were 165 regular docket filings, 646 petitions for certiorari, 49 attorney grievance proceedings, and 45 miscellaneous appeals of which seven were bar admissions proceedings and ten involved certified questions of law.

A party may file a petition for certiorari to review any case or proceeding pending in or decided by the Court of Special Appeals upon appeal from a circuit court or an orphan's court. The Court grants those petitions it feels are "desirable and in the public interest." Certiorari also may be granted, under certain circumstances, to cases that have been appealed to a circuit court from the District Court after initial appeal has been heard in the circuit court.

During Fiscal 1991, the Court considered 659 petitions for certiorari. In considering the petitions, the Court granted 131 or 19.9 percent. Approximately 49.3 percent (325) of the petitions were civil in nature while the remaining 334 or 50.7 percent were of a criminal nature (Table CA-6).

The regular docket in the Court of Appeals is comprised of cases that have been granted certiorari, as well as cases that were pending in the Court of Special Appeals that the Court decided to hear on its own motion. A monthly review of appellants' briefs from cases pend-

TABLE CA-2
ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF APPEALS

1990 TERM

FIRST APPELLATE CIRCUIT	14	8.5%
Caroline County	0	
Cecil County	2	
Dorchester County	0	
Kent County	2	
Queen Anne's County	1	
Somerset County	0	
Talbot County	1	
Wicomico County	7	
Worcester County	1	
SECOND APPELLATE CIRCUIT	21	12.7%
Baltimore County	18	
Harford County	3	
THIRD APPELLATE CIRCUIT	35	21.2%
Allegany County	1	
Frederick County	1	
Garrett County	1	
Montgomery County	27	
Washington County	5	
FOURTH APPELLATE CIRCUIT	27	16.4%
Calvert County	1	
Charles County	1	
Prince George's County	24	
St. Mary's County	1	
FIFTH APPELLATE CIRCUIT	28	17.0%
Anne Arundel County	17	
Carroll County	5	
Howard County	6	
SIXTH APPELLATE CIRCUIT	40	24.2%
Baltimore City	40	
TOTAL	165	100.0%

ing in the Court of Special Appeals is conducted by the Court of Appeals in an effort to identify cases suitable for consideration by the higher court.

The Court of Appeals docketed 165 cases during the 1990 Term, a decrease of 3.5 percent from the previous term (Table CA-3). The 165 cases docketed included 60 (36.4 percent) criminal cases and 105 (63.6 percent) civil cases which included law, equity, and juvenile cases. Baltimore City continued to contribute the greatest number of cases with 40 or 24.2 percent, followed by Montgomery County with 27 cases or 16.4 percent. Of the remaining larger jurisdictions, Prince George's County contributed 24 cases followed by Baltimore County with 18 cases and Anne Arundel County with 17 cases. The other 19 counties contributed a combined total of 39 cases or 23.6 percent of the total

number of cases docketed (Table CA-2).

Dispositions

During Fiscal Year 1991, the Court of Appeals disposed of 902 cases, an increase of 5.9 percent over the 852 cases disposed of during the previous fiscal year. The disposed cases included 179 regular docket cases, 659 petitions for certiorari; 31 attorney grievance proceedings; and 33 miscellaneous cases, including three bar admissions proceedings and four certified questions of law which were answered (Table CA-4). Additionally, the Court admitted 1,342 persons to the practice of law, including 202 attorneys from other jurisdictions.

The Court of Appeals disposed of 179 cases on its regular docket during Fiscal 1991. Of the 179 disposed cases, one was from the 1987 Term; 19 from the 1988

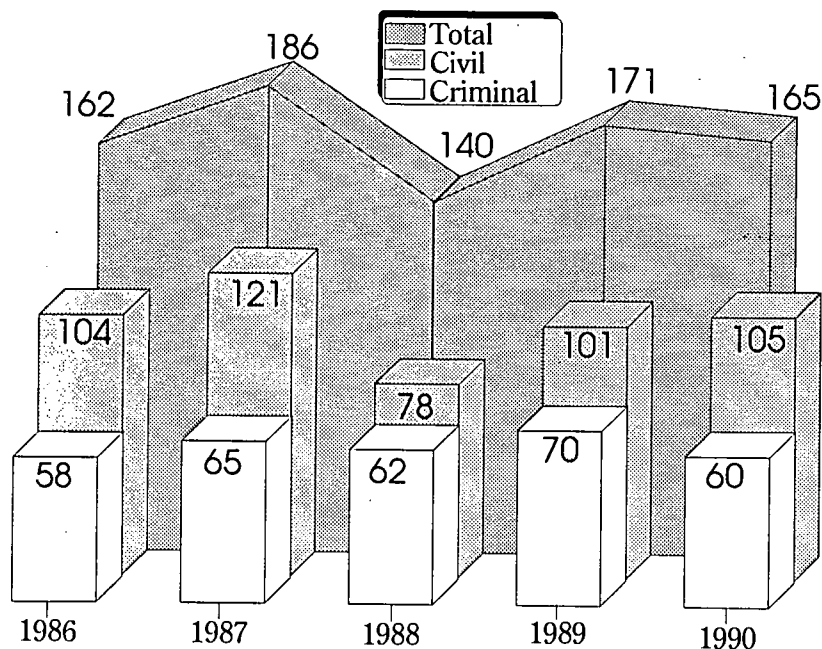
Term; 64 from the 1989 Term; 90 from the 1990 Term; and five cases were from the 1991 Term. With respect to casetype, the disposed cases included 101 (56.4 percent) civil cases, 74 (41.4 percent) criminal cases, and four (2.2 percent) juvenile cases. The Court affirmed 43 decisions of the lower court while reversing 79 of the decisions. Additionally, there were fifteen instances where the decisions were affirmed in part and reversed in part. There were 26 cases vacated and remanded, one case remanded without affirmance or reversal, one case modified and affirmed, one case modified and remanded, and one case affirmed in part and vacated in part. Ten cases were dismissed without an opinion being filed, while one case was dismissed with an opinion. The remaining case involved a certified question of law being answered (Table CA-7).

The Court of Appeals, in a continuing attempt to expeditiously dispose of cases, expended an average of 3.5 months from the time certiorari was granted to the argument phase of the process or to disposition of cases that were not argued. It took an average time of 7.9 months from the argument of a case to the rendering of the final decision. The entire process, from the granting of certiorari to the final decision, averaged 10.2 months during Fiscal 1991 (Table CA-8). There were 137 majority opinions handed down by the Court of Appeals, including two per curiam opinions. In addition, there were 17 dissenting opinions, five concurring opinions, and three opinions that were dissenting in part and concurring in part.

Pending

At the close of Fiscal 1991, the Court had pending before it 129 cases. Included in the 129 cases were 13 cases from the 1989 Term, 72 from the 1990 Term, and 44

TABLE CA-3
APPEALS DOCKETED BY TERM
COURT OF APPEALS REGULAR DOCKET



cases from the 1991 Term. The cases pending from the 1991 Term were generally added at the close of the fiscal year and were scheduled to be argued in September. There were 86 (66.7 percent) civil cases and 43 (33.3 percent) criminal cases pending. There were no juvenile cases pending at the close of the fiscal year (Table CA-5).

Trends

Total filings in excess of 850 has been the norm rather than the exception in the Court of Appeals for nine out of the last ten terms. The only period in which filings fell below the 850 mark was during the 1988 Term when 803 total filings were recorded. During that term, the Court also recorded the lowest number of certiorari petitions (598) in the last ten years. In fact, there appears to be a direct correlation between the number of certiorari petitions filed and the number of total filings. There was a 3.2 percent increase in certiorari petitions during the 1990 Term, from 626 in the 1989 Term to the present level of 646 certiorari filings. Likewise, overall filings increased by 2.0 percent during the same period.

Over the last five years, certiorari petition dispositions, fluctuated with no discernible trend. Certiorari dispositions ranged from a low of 543 during Fiscal 1989 to a high

TABLE CA-4 FILINGS AND DISPOSITIONS COURT OF APPEALS JULY 1, 1990—JUNE 30, 1991 FISCAL 1991		
	Filings	Dispositions
Regular Docket	173	179
Petitions for Certiorari	624	659
Attorney Grievance Proceedings	35	31
Bar Admission Proceedings	6	3
Certified Questions of Law	6	4
Miscellaneous Appeals	30	26
Total	874	902

of 776 during Fiscal 1988. The number of petitions granted have also fluctuated between 16.8 percent to 19.9 percent. Civil petitions tended to be granted more often than criminal petitions which is evident in the number of civil versus criminal cases placed on the regular docket. There has been an upward trend realized in the number of regular docket dispositions over the last three fiscal years. During Fiscal 1988, only 128 cases were disposed of on the regular docket compared to 179 dispositions recorded during Fiscal 1991, an increase of nearly forty percent during the three-year period.

Although faced with an increasing workload, the Court has managed to keep abreast. The average amount of time expended from

the time certiorari is granted to the rendering of a decision has decreased during the past two fiscal years, from 11.9 months in Fiscal 1989 to 10.5 months in Fiscal 1990 to the current level of 10.2 months. That decrease occurred in the face of an increased number of dispositions. Additionally, the number of pending cases has continued to decrease over the last four years to the present level of 129 cases.

As evidenced by the increasing number of filings, as well as dispositions, the Court has been constantly tasked with the responsibility of adjudicating cases and rendering precedent-setting decisions in an expedient and fair manner. Not only has the court been confronted with death penalty and civil litigation issues, but with de-

TABLE CA-5 CASES PENDING COURT OF APPEALS Regular Docket June 30, 1991				
	Civil	Juvenile	Criminal	Total
Origin				
1989 Docket	9	0	4	13
1990 Docket	53	0	19	72
1991 Docket	24	0	20	44
Total	86	0	43	129

termining the extent of the power vested in decisions made by the Governor which would act to change the manner in which an entire workforce operates. That issue,

along with other pressing concerns, as well as the passage of new laws, has challenged the Court to hand down opinions that could be used by the lower courts as they attempt

to adjudicate cases on their dockets. The trend of an ever-increasing complex and thought provoking caseload is expected to continue in the Court of Appeals.

TABLE CA-6
FIVE-YEAR COMPARATIVE TABLE
PETITION DOCKET DISPOSITIONS
(PETITIONS FOR CERTIORARI)
FISCAL 1987—FISCAL 1991

Petitions	Granted	Dismissed	Denied	Withdrawn	Total	Percentage of Certiorari Petitions Granted
Civil						
1986-87	62	4	216	4	286	21.7%
1987-88	84	5	311	1	401	20.9%
1988-89	37	1	221	1	260	14.2%
1989-90	66	4	228	0	298	22.1%
1990-91	75	9	241	0	325	23.1%
Criminal						
1986-87	42	3	230	1	276	15.2%
1987-88	56	1	317	1	375	14.9%
1988-89	54	2	227	0	283	19.1%
1989-90	47	3	260	0	310	15.2%
1990-91	56	3	275	0	334	16.8%

TABLE CA-7
DISPOSITION OF
COURT OF APPEALS CASES

Regular Docket

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Civil	Juvenile	Criminal	Total
Affirmed	27	0	16	43
Reversed	38	0	41	79
Dismissed—Opinion Filed	1	0	0	1
Dismissed Without Opinion	7	1	2	10
Remanded Without Affirmance or Reversal	1	0	0	1
Vacated and Remanded	17	0	9	26
Modified and Affirmed	1	0	0	1
Affirmed in Part, Reversed in Part	6	3	6	15
Affirmed in Part, Vacated in Part	1	0	0	1
Dismissed Prior to Argument or Submission	0	0	0	0
Certified Question Answered	1	0	0	1
Modified and Remanded	1	0	0	1
Transferred to Court of Special Appeals	0	0	0	0
Origin				
1987 Docket	1	0	0	1
1988 Docket	9	0	10	19
1989 Docket	41	0	23	64
1990 Docket	47	4	39	90
1991 Docket	3	0	2	5
Total Cases Disposed During Fiscal 1991	101	4	74	179

TABLE CA-8 AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF APPEALS Regular Docket JULY 1, 1990—JUNE 30, 1991 FISCAL 1991			
	Certiorari Granted to Argument or to Disposition Without Argument^a	Argument to Decision^b	Certiorari Granted to Decision^a
Days	105	238	307
Months	3.5	7.9	10.2
Number of Cases	179	151	179
^a Includes all cases disposed in Fiscal 1991.			
^b Includes all cases disposed in Fiscal 1991 which were argued.			

TABLE CA-9 FIVE-YEAR COMPARATIVE TABLE AVERAGE TIME INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF APPEALS (In Days and Months)		
Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1986	357 11.9	128 4.3
1987	356 11.9	135 4.5
1988	327 10.9	101 3.4
1989	322 10.7	126 4.2
1990	371 12.4	136 4.5

THE COURT OF SPECIAL APPEALS



The Court of Special Appeals

Introduction

The Court of Special Appeals was created in 1966 as Maryland's intermediate appellate court. Its creation was the result of a rapidly growing caseload in the Court of Appeals which had caused a substantial backlog to develop in that Court.

The Court of Special Appeals sits in Annapolis and is composed of thirteen members, including a chief judge and twelve associates. One member of the Court is elected from each of the first five Appellate Judicial Circuits while two members are elected from the Sixth Appellate Judicial Circuit (Balti-

more City). The remaining six members are elected from the State at large. As in the Court of Appeals, members of the Court of Special Appeals are appointed by the Governor and confirmed by the Senate. They also run on their records without opposition for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

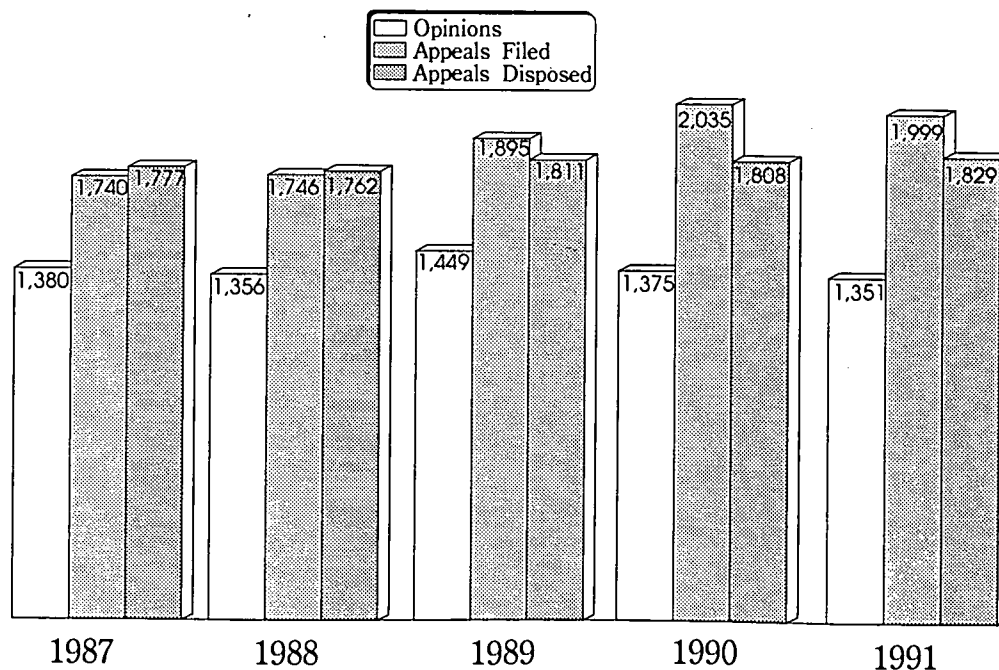
Unless otherwise provided by law, the Court of Special Appeals has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed directly from

the circuit courts. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges of the Court. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, and appeals from criminal guilty pleas.

Filings

Appeals docketed on the September 1990 Term constituted a majority of the Fiscal 1991 work-

TABLE CSA-1
COURT OF SPECIAL APPEALS - APPEALS ACTUALLY
FILED AND TERMINATED WITHIN FISCAL YEAR



load in the Court of Special Appeals. Filings received from March 1 through February 28 were entered on the September Term docket for argument beginning the second Monday in September and ending the last of June. In this report, filings are counted by term, March 1 through February 28, while dispositions are counted by fiscal year, July 1 through June 30.

During the 1990 Term, the Court of Special Appeals received a total of 2,035 filings on its regular docket, an increase of 1.4 percent over the previous term. Continuing a trend that was established during the 1988 Term, the Court docketed more criminal filings than it did civil filings. More than 53 percent (1,085) of the filings were criminal in nature, while the re-

maining 950 or 46.7 percent were of a civil nature (Table CSA-3). While criminal filings increased by 4.2 percent during the 1990 Term, civil filings decreased for the first time since the 1984 Term. There was a decrease of 1.6 percent reported in civil filings.

For a number of years, the Court of Special Appeals has used two procedures in an effort to manage both its criminal and civil workloads. In the criminal area,

§ 12-302 of the Courts Article and Maryland Rule 1096 were adopted which in effect, removed the right of direct appeal in criminal cases where a guilty plea was entered. As a result of the rule, it is now necessary to file an application for leave to appeal in instances where a guilty plea was entered in a criminal case. The Court now has the discretion to either place the case on the regular docket or deny the appeal (Table CSA-5). However, two years after the adoption of the aforementioned rule, the initial increase in criminal filings was realized. Criminal filings have nearly surpassed the number filed during the September 1982 Term (1,107) which was the year before review of guilty pleas was changed.

The procedure of prehearing conferences has been used by the Court in the civil arena. Panels of judges attempt to identify those cases suitable for resolution by the parties. Pursuant to Maryland Rules 1022-1024, the number of civil filings reported since the 1980 Term does not include civil notices of appeal filed in the clerks' offices. Those appeals were either scheduled for prehearing conference or proceeded through the regular appellate process as stipulated in Maryland Rule 1024.a.1. The cases that are disposed of by prehearing conference are never placed on the regular docket or listed as filings. If the cases are not

TABLE CSA-2
ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF SPECIAL APPEALS

1990 TERM

FIRST APPELLATE CIRCUIT	233	(11.4%)
Caroline County	17	
Cecil County	38	
Dorchester County	24	
Kent County	14	
Queen Anne's County	18	
Somerset County	11	
Talbot County	30	
Wicomico County	49	
Worcester County	32	
SECOND APPELLATE CIRCUIT	327	(16.1%)
Baltimore County	277	
Harford County	50	
THIRD APPELLATE CIRCUIT	383	(18.8%)
Allegany County	12	
Frederick County	28	
Garrett County	8	
Montgomery County	291	
Washington County	44	
FOURTH APPELLATE CIRCUIT	390	(19.2%)
Calvert County	21	
Charles County	38	
Prince George's County	316	
St. Mary's County	15	
FIFTH APPELLATE CIRCUIT	271	(13.3%)
Anne Arundel County	172	
Carroll County	33	
Howard County	66	
SIXTH APPELLATE CIRCUIT	431	(21.2%)
Baltimore City	431	
TOTAL	2,035	(100.0%)

disposed of by this process, they are placed on subsequent dockets and then are included among the filings. In each case where an appeal has been noted, an information report or summarization of the case below and the action taken by the circuit court is filed. During the 1990 Term, the Court of Special Appeals received 1,184 information reports, an increase of 8.6 percent over the previous term. Nearly 29 percent (338) of the reports received were assigned for prehearing conferences compared to 23.3 percent during the 1989 Term (Table CSA-4). The conferences resulted in 209 cases (61.8 percent) proceeding without limitation of issues, while three cases (1 percent) had their issues limited. There were 85 cases (25.1 percent) dismissed or settled before, at, or as a result of the conferences, while another 22 cases (6.5 percent) were dismissed or remanded after the conferences. Six cases (1.8 percent)

TABLE CSA-4
PREHEARING CONFERENCE REPORTS
COURT OF SPECIAL APPEALS

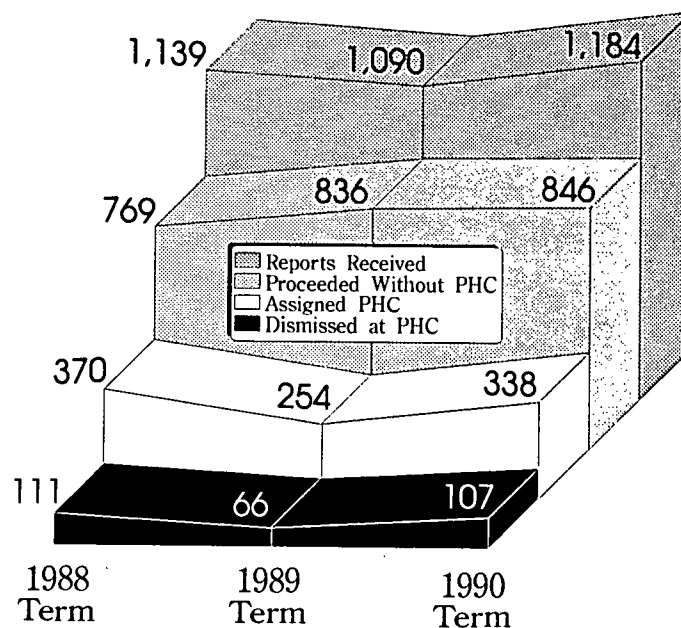
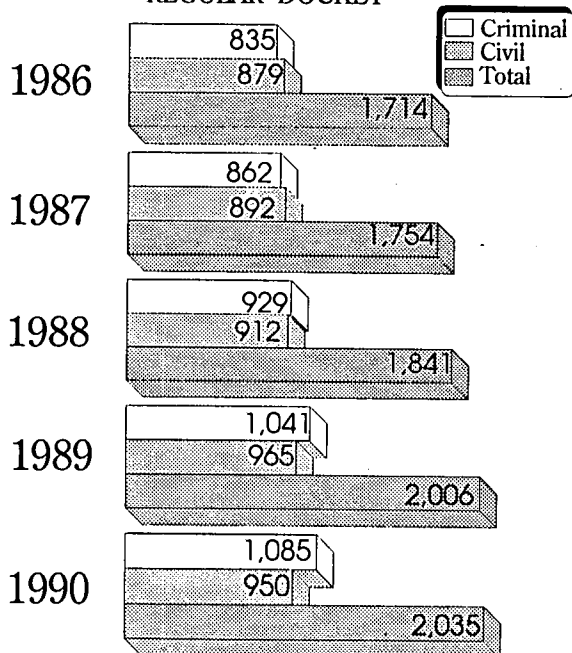


TABLE CSA-3
APPEALS DOCKETED BY TERM
COURT OF SPECIAL APPEALS
REGULAR DOCKET



proceeded with expedited appeals and the remaining 13 cases (3.8 percent) were still pending at the close of the term (Table CSA-5).

Of the cases docketed during the 1990 Term, Baltimore City contributed the greatest number with 431 or 21.2 percent. Prince George's County followed with 316 cases or 15.5 percent of the total cases docketed. Montgomery County contributed 291 cases or 14.3 percent, followed by Baltimore County with 277 (13.6 percent) and Anne Arundel County with 172 cases or 8.5 percent. The First Appellate Circuit, comprising the entire Eastern Shore of Maryland, collectively contributed the fewest number of cases, 233 or 11.4 percent (Table CSA-2). Fourteen percent of the trials conducted in the circuit courts during Fiscal 1990 were docketed on the September 1990 Term regular docket (CSA-9).

Dispositions

The Court of Special Appeals disposed of 1,829 cases on its regular docket during Fiscal 1991. That figure represents a slight increase of 1.2 percent over the previous fiscal year. Included in those dispositions was one case from the 1986 Term; two cases from the 1987 Term; two cases from the 1988 Term, and 44 cases from the 1991 Term. A majority of the disposed cases, 962 or 52.6 percent were of a criminal nature, while 845 (46.2 percent) were civil in nature. The remaining 22 cases (1.2 percent) were juvenile (Table CSA-7).

With respect to disposition breakdown, the Court affirmed 952 or slightly more than 52 percent of the decisions of the lower court. Only 11.5 percent (211 cases) of lower court's decisions were reversed. A higher percentage of the criminal cases (65.7 percent) were affirmed than any other casetype, while civil cases recorded the highest percentage of reversals, 14.6 percent. The Court's 1,829 dispositions included 396 cases that were dismissed prior to argument or sub-

mission and 53 cases that were transferred to the Court of Appeals. Table CSA-7 provides a detailed breakdown of case disposition.

The Court of Special Appeals disposed of 254 cases on its miscellaneous docket including 165 post conviction cases, 13 inmate grievances, and 76 "other" miscellaneous cases which included habeas corpus/bail cases, motions for stay of execution of order pending appeal, and appeals from guilty pleas. Miscellaneous docket dispositions increased by 24.5 percent over the previous fiscal year. In disposing of its miscellaneous docket, the Court granted 29 applications for leave to appeal, while denying 197 applications. Additionally, 21 cases were either dismissed or transferred and seven cases were remanded (Table CSA-6).

From the docketing of a case to argument or to disposition without argument, the Court averaged 5.7 months in Fiscal 1991 compared to 4.6 months in Fiscal 1990. The average amount of time expended from argument to final decision was 1.4 months which was slightly

higher than in the previous fiscal year (Table CSA-10). As indicated on Table CSA-11, the amount of time from disposition in the circuit court to docketing in the Court of Special Appeals during the 1990 Term was approximately 3.4 months.

In disposing of its caseload, the Court handed down 1,351 majority opinions including 1,126 unreported and 225 reported opinions during Fiscal 1991. There were also two concurring opinions and 13 dissenting opinions filed. During the previous fiscal year, 1,345 majority opinions, nine concurring opinions, and 21 dissenting opinions were filed.

Pending

At the close of Fiscal 1991, the Court of Special Appeals had pending before it 1,069 cases, an increase of 18.4 percent over the last fiscal year. There was one case pending from the 1987 Docket; two from the 1988 Docket; 16 from the 1989 Docket; 459 from the 1990 Docket; and 591 cases pending from the 1991 Docket. Cases pending from the 1990 and preceding dockets are probably awaiting opinions while those pending from the 1991 Docket are scheduled to be argued during the current term. There were 430 civil cases, 19 juvenile cases, and 620 criminal cases pending at the close of Fiscal 1991 (Table CSA-8).

Trends

Not unlike the Court of Appeals, the Court of Special Appeals has experienced a steady increase in filings over the last six years. Since the 1984 Term, overall filings have increased by 23.9 percent, from 1,642 to the present level of 2,035 filings docketed during the 1990 Term; criminal filings have increased steadily each year, 44.5 percent overall. Although significant, civil filings decreased for

TABLE CSA-5
DISPOSITION OF INFORMATION REPORTS
ASSIGNED FOR PREHEARING CONFERENCE
1990 TERM

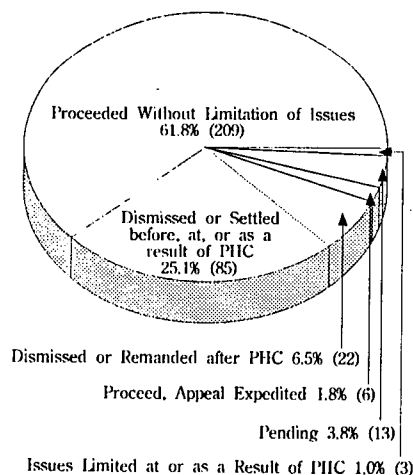


TABLE CSA-6
FIVE-YEAR COMPARATIVE TABLE
DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL
AND OTHER MISCELLANEOUS CASES
FISCAL 1987—FISCAL 1991

	FISCAL 1987	FISCAL 1988	FISCAL 1989	FISCAL 1990	FISCAL 1991
POST CONVICTION—TOTAL	196	121	162	135	165
Granted	13	9	7	7	18
Dismissed or Transferred	18	8	34	32	19
Denied	161	102	120	94	121
Remanded	4	2	1	2	7
INMATE GRIEVANCE—TOTAL	9	11	19	17	13
Granted	1	1	2	9	2
Dismissed or Transferred	1	1	1	0	0
Denied	7	9	16	8	11
Remanded	0	0	0	0	0
OTHER MISCELLANEOUS—TOTAL	89	88	49	52	76
Granted	6	12	3	3	9
Dismissed or Transferred	14	6	10	7	2
Denied	69	69	35	42	65
Remanded	0	1	1	0	0

TABLE CSA-7
CASES DISPOSED BY
COURT OF SPECIAL APPEALS
Regular Docket
JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Civil	Juvenile	Criminal	Total
Affirmed	313	7	632	952
Reversed	123	4	84	211
Dismissed—Opinion Filed	20	1	6	27
Dismissed Without Opinion	4	0	11	15
Remanded Without Affirmance or Reversal	12	0	4	16
Vacated and Remanded	24	0	19	43
Affirmed in Part, Reversed in Part	49	0	67	116
Dismissed Prior to Argument or Submission	261	6	129	396
Transferred to Court of Appeals Origin	39	4	10	53
1986 Docket	0	0	1	1
1987 Docket	2	0	0	2
1988 Docket	0	0	2	2
1989 Docket	116	2	171	289
1990 Docket	688	20	783	1,491
1991 Docket	39	0	5	44
Total Cases Disposed During Fiscal 1991	845	22	962	1,829

the first time since the 1985 Term, from 965 filings during the 1989 Term to 950 filings during the 1990 Term. Since the 1984 Term, an overall increase of 6.6 percent has been realized in civil filings.

The increase in criminal filings has effectively nullified the intent of Chapter 295 of the Acts of 1983 which removed the right of direct appeal following a guilty plea. The effect of the passage of the bill, which was intended to assist the Court in its criminal workload, was realized initially when criminal filings decreased sharply. However,

filings increased within two years and have increased steadily since then. Criminal filings are near the pre-enactment level of 1,107 filings. The Court reported 1,085 criminal filings for the 1990 Term. Applications for leave to appeal have also increased since Fiscal 1983. There were 128 applications for leave to appeal disposed of in Fiscal 1983 compared to the Fiscal 1991 level of 254, an increase of more than 98 percent.

Since the implementation of prehearing conferences, in attempt to manage the civil workload of the

Court, civil filings have remained somewhat consistent with no significant increases or decreases reported. This procedure appears to have been more effective than that used in the criminal area.

Although inundated with an ever-increasing workload, the Court of Special Appeals has continued to dispose of cases effectively and efficiently. With the passage of new laws and the increase in criminal activity, the Court can expect to experience a continued influx of new cases, particularly in the criminal arena.

TABLE CSA-8
PENDING CASES
COURT OF SPECIAL APPEALS

Regular Docket
June 30, 1990

	Civil	Juvenile	Criminal	Total
Origin				
1987 Docket	1	0	0	1
1988 Docket	2	0	0	2
1989 Docket	13	0	3	16
1990 Docket	180	8	271	459
1991 Docket	234	11	346	591
Total Cases Pending at Close of Fiscal 1991	430	19	620	1,069
*Includes pending cases to be heard in September Term 1991.				

TABLE CSA-9
RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS
FILINGS ON 1990 REGULAR DOCKET
AND CIRCUIT COURT TRIALS IN FISCAL 1990

Jurisdiction	Court of Special Appeals 1990 Regular Docket	Circuit Court Fiscal 1990 Trials	Ratio Appeals to Trials
Kent County	14	23	.61
Montgomery County	291	1,031	.28
Washington County	44	199	.22
Carroll County	33	164	.20
Queen Anne's County	18	88	.20
Baltimore County	277	1,437	.19
Prince George's County	316	1,664	.19
Wicomico County	49	280	.18
Harford County	50	316	.16
Frederick County	28	173	.16
Baltimore City	431	2,853	.15
Dorchester County	24	185	.13
Calvert County	21	172	.12
Somerset County	11	105	.10
Worcester County	32	333	.10
Anne Arundel County	172	1,888	.09
Charles County	38	412	.09
Talbot County	30	353	.08
Caroline County	17	218	.08
Howard County	66	1,026	.06
Garrett County	8	129	.06
Cecil County	38	657	.06
Allegany County	12	251	.05
St. Mary's County	15	558	.03
TOTAL	2,035	14,515	.14

**TABLE CSA-10
AVERAGE TIME INTERVALS FOR
CASES DISPOSED BY
COURT OF SPECIAL APPEALS**

Regular Docket

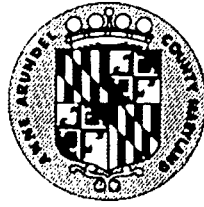
**JULY 1, 1990—JUNE 30, 1991
FISCAL 1991**

	Docketing to Argument or to Disposition Without Argument^a	Argument to Decision^b
Days	171	41
Months	5.7	1.4
Number of Cases	1,829	1,346
^a Includes all cases disposed in Fiscal 1991.		
^b Includes all cases disposed in Fiscal 1991 which were argued.		

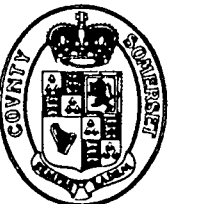
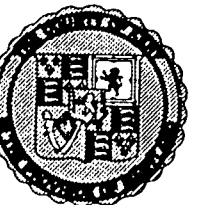
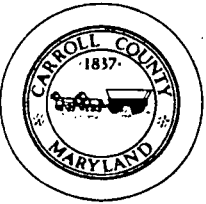
**TABLE CSA-11
FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF SPECIAL APPEALS**

(In Days and Months)

Docket	Original Filing to Disposition in Court Below	Disposition in Circuit Court to Docketing in Court of Special Appeals
1986	375 12.5	115 3.8
1987	391 13.0	108 3.6
1988	364 12.1	116 3.9
1989	373 12.4	104 3.5
1990	356 11.9	103 3.4



THE CIRCUIT COURTS



The Circuit Courts

Introduction

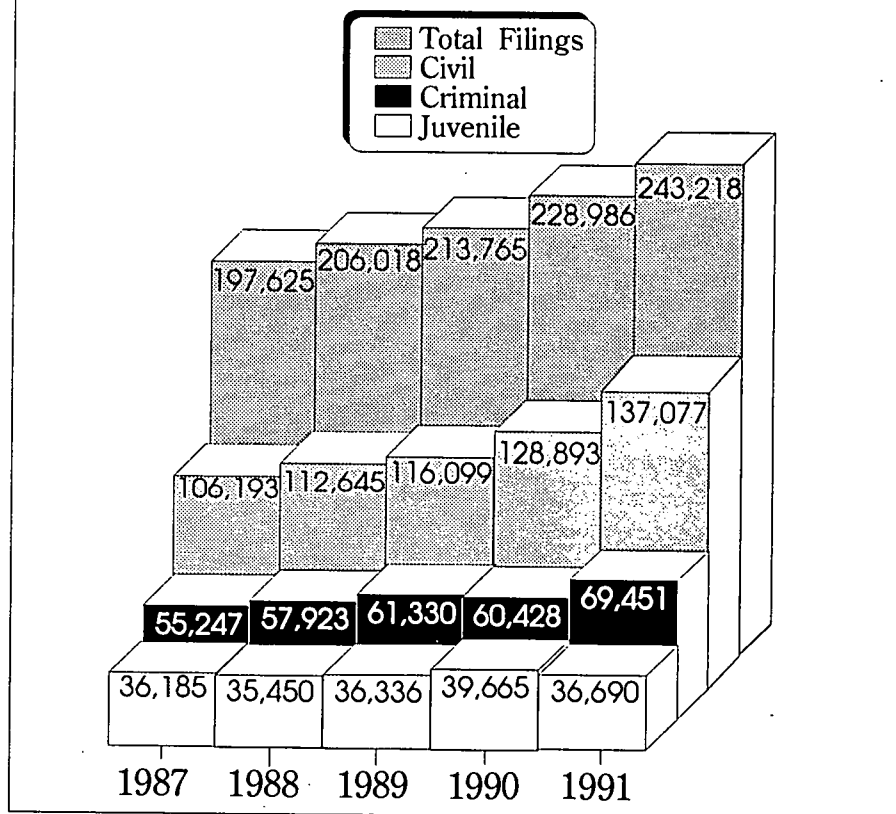
The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred upon another tribunal.

In each county of the State and in Baltimore City, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad, but generally it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and from certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits is comprised of two or more counties while the Eighth Judicial Circuit consists of Baltimore City. On January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of July 1, 1990, there were 120 circuit court judges with at least one judge for each county and 25 in Baltimore City. Unlike the other three court levels in Maryland, there is no chief judge who is administrative head of the circuit courts. However, there are eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals who perform administrative duties in each of their respective circuits. They are assisted by county administrative judges.

TABLE CC1
CIRCUIT COURT-FILINGS BY FISCAL YEAR



Each circuit court judge is initially appointed to office by the Governor and must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

Continuing an upward trend, the circuit courts reported 243,218 total filings for Fiscal 1991, an increase of more than six percent over the Fiscal 1990 level of 228,986 total filings. Increases in

both civil and criminal filings contributed to the overall increase in filings. The most significant increase was reported in criminal filings (14.9 percent) from 60,428 filings, in Fiscal 1990 to 69,451 filings in Fiscal 1991. Reporting an increase of over 8,000 filings, civil filings increased by 6.3 percent, from 128,893 in Fiscal 1990 to the present level of 137,077 filings. After realizing a 9.2 percent increase in Fiscal 1990, juvenile filings, the only category in which a decrease was realized, decreased by approximately 7.5 percent in Fiscal 1991. There were 39,665 juvenile filings reported in Fiscal 1990

TABLE CC-2
FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS
FISCAL 1987—FISCAL 1991

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1986-87		1987-88		1988-89		1989-90		1990-91	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	7,670	7,313	7,930	7,418	8,836	7,958	8,947	8,043	9,190	8,804
Dorchester	1,865	1,722	1,726	1,533	1,800	1,278	1,792	1,683	1,674	1,586
Somerset	1,021	951	1,108	1,008	1,314	1,210	1,334	1,216	1,579	1,509
Wicomico	2,604	2,528	2,994	2,830	3,621	3,379	3,663	3,314	3,577	3,680
Worcester	2,180	2,112	2,102	2,047	2,101	2,091	2,158	1,830	2,360	2,029
SECOND CIRCUIT	6,259	5,533	6,939	6,243	7,840	7,333	9,238	8,169	9,721	8,628
Caroline	1,016	836	1,180	1,188	1,238	1,222	1,283	1,186	1,401	1,258
Cecil	2,549	2,245	2,897	2,476	3,194	2,979	3,817	3,031	4,001	3,359
Kent	668	648	643	570	661	575	883	746	966	832
Queen Anne's	951	898	1,045	1,000	1,306	1,210	1,654	1,585	1,648	1,514
Talbot	1,075	906	1,174	1,009	1,441	1,347	1,601	1,621	1,705	1,665
THIRD CIRCUIT	29,792	25,179	31,968	28,912	33,334	29,395	33,713	29,639	31,995	28,286
Baltimore	24,325	20,603	25,509	22,572	26,371	22,694	27,274	24,318	25,384	22,994
Harford	5,467	4,576	6,459	6,340	6,963	6,701	6,439	5,321	6,611	5,292
FOURTH CIRCUIT	6,679	5,704	7,463	7,591	8,097	7,225	8,832	7,245	8,645	7,997
Allegany	1,828	1,392	2,052	2,469	2,226	1,857	2,296	1,862	2,366	2,148
Garrett	747	745	906	889	949	882	1,063	946	1,090	1,082
Washington	4,104	3,567	4,505	4,233	4,922	4,486	5,473	4,437	5,189	4,767
FIFTH CIRCUIT	25,329	23,393	25,611	21,247	26,808	21,073	31,675	29,299	38,995	33,499
Anne Arundel	16,723	15,618	15,717	11,772	16,565	11,661	19,960	18,956	26,633	23,137
Carroll	3,757	3,314	4,049	3,811	4,247	3,959	4,563	3,955	4,978	4,038
Howard	4,849	4,461	5,845	5,664	5,996	5,453	7,152	6,388	7,384	6,324
SIXTH CIRCUIT	26,011	18,601	27,972	23,534	30,860	25,367	33,916	22,557	34,551	22,688
Frederick	3,388	2,841	3,805	3,284	4,159	3,272	4,787	4,437	5,281	4,095
Montgomery*	22,623	15,760	24,167	20,250	26,701	22,095	29,129	18,120	29,270	18,593
SEVENTH CIRCUIT	43,583	40,649	45,077	40,742	46,932	41,021	49,807	43,734	50,728	43,156
Calvert	1,536	1,488	1,695	1,600	1,793	1,779	2,913	2,206	2,868	3,076
Charles	4,710	4,124	4,733	4,257	4,825	4,137	4,741	3,884	4,934	4,275
Prince George's	34,525	32,711	35,314	31,943	36,533	31,928	38,931	34,718	39,037	32,442
St. Mary's	2,812	2,326	3,335	2,942	3,781	3,177	3,222	2,926	3,889	3,363
EIGHTH CIRCUIT	52,302	38,296	53,058	47,716	51,058	42,802	52,858	45,815	59,393	52,863
Baltimore City	52,302	38,296	53,058	47,716	51,058	42,802	52,858	45,815	59,393	52,863
STATE	197,625	164,668	206,018	183,403	213,765	182,174	228,986	194,501	243,218	205,921

*Includes juvenile causes processed at the District Court level.

NOTE: See note on Table CC-17.

TABLE CC-3
COMPARATIVE TABLE ON FILINGS
IN THE CIRCUIT COURTS
FISCAL 1990—FISCAL 1991

	CIVIL			CRIMINAL			JUVENILE			TOTAL		
	1989-90	1990-91	% Change	1989-90	1990-91	% Change	1989-90	1990-91	% Change	1989-90	1990-91	% Change
FIRST CIRCUIT												
Dorchester	1,049	1,048	0.0	553	495	-10.5	190	131	-31.1	1,792	1,674	-6.6
Somerset	836	898	7.4	391	597	52.7	107	84	-21.5	1,334	1,579	18.4
Wicomico	2,068	1,851	-10.5	1,319	1,382	4.8	276	344	24.6	3,663	3,577	-2.3
Worcester	1,322	1,345	1.7	617	811	31.4	219	204	-6.8	2,158	2,360	9.4
SECOND CIRCUIT												
Caroline	941	989	5.1	246	298	21.1	96	114	18.8	1,283	1,401	9.2
Cecil	2,236	2,394	7.1	953	1,133	18.9	628	474	-24.5	3,817	4,001	4.8
Kent	603	692	14.8	215	219	1.9	65	55	-15.4	883	966	9.4
Queen Anne's	1,134	1,169	3.1	307	246	-19.9	213	233	9.4	1,654	1,648	-0.4
Talbot	859	1,084	26.2	479	441	-7.9	263	180	-31.6	1,601	1,705	6.5
THIRD CIRCUIT												
Baltimore	13,673	14,061	2.8	9,739	7,955	-18.3	3,862	3,368	-12.8	27,274	25,384	-6.9
Harford	3,206	3,309	3.2	2,453	2,510	2.3	780	792	1.5	6,439	6,611	2.7
FOURTH CIRCUIT												
Allegany	1,601	1,591	-0.6	420	494	17.6	275	281	2.2	2,296	2,366	3.0
Garrett	707	810	14.6	199	137	-31.2	157	143	-8.9	1,063	1,090	2.5
Washington	3,178	3,102	-2.4	1,576	1,322	-16.1	719	765	6.4	5,473	5,189	-5.2
FIFTH CIRCUIT												
Anne Arundel	11,731	17,016	45.1	4,889	6,308	29.0	3,340	3,309	-0.9	19,960	26,633	33.4
Carroll	2,332	2,529	8.4	1,665	1,900	14.1	566	549	-3.0	4,563	4,978	9.1
Howard	3,380	3,713	9.9	3,049	2,986	-2.1	723	685	-5.3	7,152	7,384	3.2
SIXTH CIRCUIT												
Frederick	2,756	3,195	15.9	1,508	1,479	-1.9	523	607	16.1	4,787	5,281	10.3
Montgomery*	20,495	20,439	-0.3	5,567	4,857	-12.8	3,067	3,974	29.6	29,129	29,270	0.5
SEVENTH CIRCUIT												
Calvert	1,123	1,277	13.7	1,494	1,186	-20.6	296	405	36.8	2,913	2,868	-1.5
Charles	2,892	3,200	10.7	1,256	1,118	-11.0	593	616	3.9	4,741	4,934	4.1
Prince George's	23,629	26,007	10.1	7,887	7,640	-3.1	7,415	5,390	-27.3	38,931	39,037	0.3
St. Mary's	1,902	2,602	36.8	947	937	-1.1	373	350	-6.2	3,222	3,889	20.7
EIGHTH CIRCUIT												
Baltimore City	25,240	22,756	-9.8	12,699	23,000	81.1	14,919	13,637	-8.6	52,858	59,393	12.4
STATE	128,893	137,077	6.3	60,428	69,451	14.9	39,665	36,690	-7.5	228,986	243,218	6.2

*Includes juvenile causes processed at the District Court level.

compared to 36,690 in Fiscal 1991 (Table CC-3).

Civil filings accounted for 56.3 percent of the total filings reported in the circuit courts during Fiscal 1991 (Table CC-7). With respect to jurisdictional contribution, 73.2 percent of the civil filings for Fiscal 1991, were reported by the larger jurisdictions. Of those jurisdictions, Prince George's County reported the greatest number with 26,007 or 19 percent, followed by Baltimore City with 22,756 or 16.6 percent of the total civil caseload for Fiscal 1991. Montgomery County reported 20,439 or 15 percent, while Anne Arundel and Baltimore Counties accounted for 12.4 percent and 10.3 percent of all civil filings, respectively (Table CC-17). Within the civil casetype, the most significant increase was realized in contested confessed judgment filings which increased by 39.3 percent and other tort filings which in-

creased by 17.7 percent. Also increasing were appeals from the District Court—on record and appeals from administrative agencies by 11.8 percent and 11.9 percent, respectively (Table CC-8).

In exercising jurisdiction formerly held by an orphan's court, the Circuit Court of Montgomery County reported that it conducted 242 hearings and signed 4,299 orders. Exercising the same jurisdiction, the Circuit Court for Harford County recorded 30 hearings and signed 509 orders.

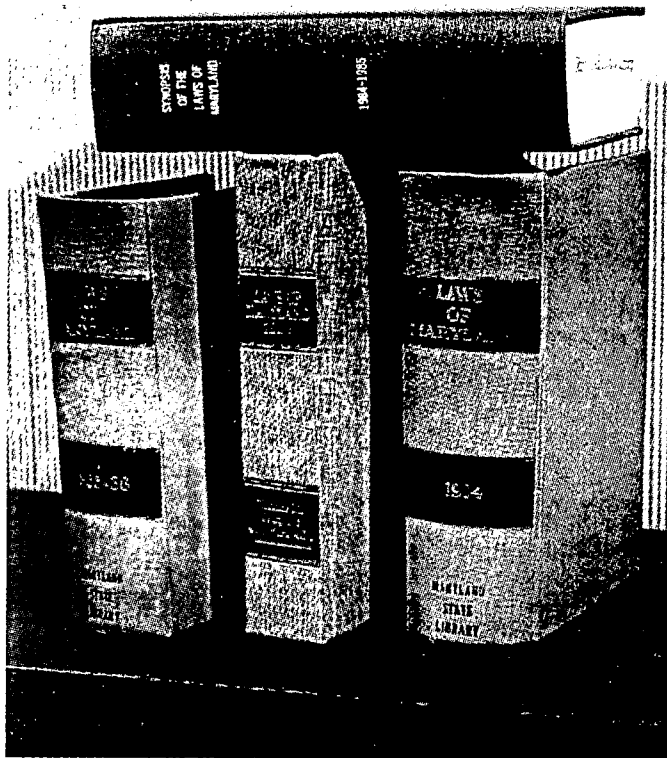
Criminal filings reported during Fiscal 1991 accounted for 28.6 percent of the total filings reported in the circuit courts. That figure compares to 26.4 percent of the total filings in Fiscal 1990 (Table CC-7). As previously reported, criminal filings increased by 14.9 percent during Fiscal 1991. Attributing most significantly to that increase was the significant increase

reported in Baltimore City. An increase of 58.8 percent in indictment information filings contributed to the overall increase in criminal filings in Baltimore City. Also reporting a rather significant increase in criminal filings was Anne Arundel County (29 percent), from 4,889 in Fiscal 1990 to the present level of 6,308 filings. Increases in indictment information filings (31.5 percent) can be attributed to the overall increase in Anne Arundel County's criminal filings as well.

Despite the overall increase in criminal filings, jury trial prayers decreased for the second consecutive year by ten percent. Anne Arundel County was the only major jurisdiction to report an increase in jury trial prayers. Contributing to the decrease in Baltimore City and Baltimore and Montgomery Counties is the jury trial prayer pilot program underway in those jurisdictions. Any defendant requesting a jury trial is immediately sent to the circuit court. This immediate availability of a jury trial prevents further delay, thus alleviating a backlog. Many defendants are now opting to remain in the District Court and plea bargain the case. While the programs have been effective in reducing the number of jury trial prayers, the requests continue to constitute a major portion of the criminal caseload. Indictment and information filings also constitute a sizeable percentage of the criminal filings.

The greatest number of criminal filings in Fiscal 1991 were reported in Baltimore City, 23,000 or 33.1 percent, followed by Baltimore County with 7,955 or 11.5 percent. Prince George's, Anne Arundel, and Montgomery Counties contributed 11 percent, 9.1 percent, and 7 percent, respectively (Table CC-22).

Juvenile filings, which decreased by 7.5 percent during Fis-



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cal 1991, accounted for 15.1 percent of the total filings reported this year. Contributing to the overall decrease in juvenile filings was the fact that Montgomery County was the only major jurisdiction to report an increase. There were 3,067 juvenile filings reported in Montgomery County during Fiscal 1990 compared to 3,974 in Fiscal 1991, an increase of 29.6 percent. The most significant decrease occurred in Prince George's County which reported a 27.3 percent decrease, from 7,415 filings in Fiscal 1990 to the Fiscal 1991 level of 5,390 filings. Baltimore County followed with a 12.8 percent decrease and Baltimore City with a decrease of 8.6 percent. A slight decrease of 0.9 percent was also realized in Anne Arundel County (Table CC-27). During Fiscal 1991, both delinquency and C.I.N.A. filings decreased by 6.7 percent and 11.1 percent, respectively. However, delinquency filings still constituted over 74 percent of the juvenile caseload (Table CC-8).

Terminations

For the second consecutive year, circuit court terminations increased. There were 194,501 total terminations reported in Fiscal 1990 compared to 205,921 in Fiscal 1991, an increase of 5.9 percent (Table CC-2). While terminations have increased, the ratio of terminations as a percentage of filings decreased for the third consecutive year to the present level of 84.7 percent (Table CC-4).

Civil and criminal terminations both increased during the fiscal year while juvenile terminations decreased. The most significant increase was reported in criminal terminations, 14.1 percent, from 56,238 in Fiscal 1990 to the Fiscal 1991 level of 64,183. Baltimore City and Anne Arundel County were the only major jurisdictions to realize increases during the fiscal

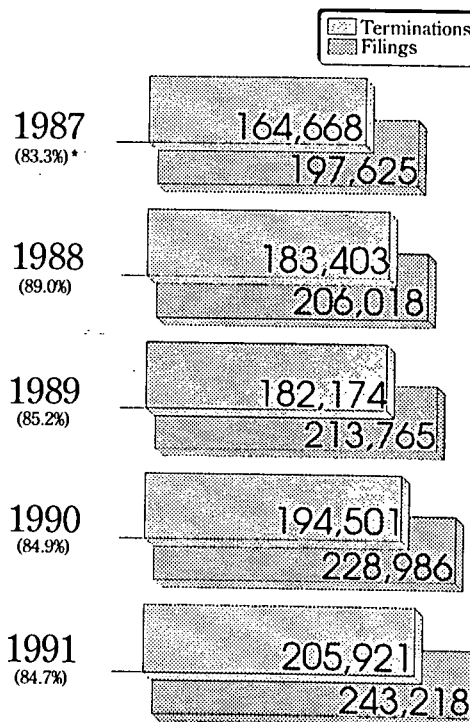
year. Baltimore City reported 21,637 terminations, an increase of 69.6 percent over the previous year when 12,757 terminations were reported. Contributing most significantly to that increase was the 82 percent increase that occurred in indictment information terminations. Likewise, the 18.8 percent increase reported in Anne Arundel County can also be attributed to the 21.9 percent increase realized in indictment information terminations (Table CC-9). Terminations decreased by 11.5 percent in Montgomery County while Baltimore and Prince George's Counties reported decreases of 10.8 percent and 10.7 percent, respectively.

As previously mentioned, civil terminations also increased during the year. There were 102,193 civil terminations reported in Fiscal 1990 compared to 109,119 in Fis-

cal 1991, an increase of 6.8 percent (Table CC-17). Anne Arundel and Prince George's Counties each reported increases of 26.9 percent and 10.1 percent, respectively. Baltimore City reported a decrease of 3.3 percent, from 20,702 in Fiscal 1990 to 20,026 civil terminations in Fiscal 1991. Likewise, Montgomery and Baltimore Counties reported decreases. Montgomery County decreased by 0.3 percent while Baltimore County reported a slight decrease of 0.2 percent as well. Categorically, the most significant increase in civil terminations was reported in appeals to administrative agencies (35.1 percent), followed by contract terminations which increased by 19.6 percent. Divorce and nullity terminations also increased by 7.9 percent (Table CC-9).

With respect to casetype, juve-

TABLE CC-4
TERMINATIONS AS A PERCENTAGE
OF FILINGS IN THE CIRCUIT COURTS



* The percentage of filings that are terminated.

nile terminations was the only area to report a decrease. There were 36,070 terminations reported in Fiscal 1990 compared to 32,919 in Fiscal 1991, a decrease of 9.6 percent. The overall decrease in juvenile terminations can be attributed to the 44.1 percent decrease reported in Prince George's County, from 7,633 in Fiscal 1990 to the present level of 4,270 terminations. Also decreasing were terminations in Baltimore City (9.4 percent) and Baltimore County (7.5 percent). The remaining larger jurisdictions, Montgomery and Anne Arundel Counties, both reported increases of 31.9 percent and 8.1 percent, respectively (Table CC-27). Not unlike filings, delinquency and C.I.N.A. terminations also decreased during Fiscal 1991. Delinquency terminations decreased by 9.2 percent while C.I.N.A. terminations decreased by 12 percent (Table CC-9).

Court Trials, Jury Trials, and Hearings

During Fiscal 1991, the circuit courts conducted 237,370 total judicial proceedings, occupying nearly 241,000 courtroom days. The number of judicial proceedings represents a decrease of approximately three percent from the previous year. There were 224,374 hearings conducted during Fiscal 1991, constituting 94.5 percent of all of the judicial proceedings. Additionally, there were 10,007 court trials and 2,989 jury trials (Table CC-11). With respect to casetype, 5,884 (58.8 percent) of the court trials were civil, while the remaining 4,124 (41.2 percent) were of a criminal nature. In contrast, a majority of the jury trials were criminal (1,754 or 58.7 percent), while 1,235 or 41.3 percent were civil. There were also 66,913 civil hearings; 87,966 criminal hearings; and 69,495 juvenile hearings conducted

during Fiscal 1991 (Table CC-10).

Elapsed Time of Case Dispositions

As indicated on Table CC-13, the average elapsed time of civil and criminal cases have remained relatively constant, while the amount of time expended in the disposition of juvenile cases has increased over the last two fiscal years. During Fiscal 1991, it averaged 211 days from the filing of a civil case to its disposition compared to 209 days in Fiscal 1990. Criminal cases averaged 120 days in Fiscal 1991 compared to 121 days in Fiscal 1990. The average elapsed time of juvenile cases increased from 72 days in Fiscal 1990 to the Fiscal 1991 level of 76 days. The aforementioned averages represent the average elapsed time once the older inactive cases have been excluded.

Pending

At the close of Fiscal 1991, the circuit courts had pending before them 304,060 cases, an increase of 9.7 percent over Fiscal 1990. The number of civil cases pending increased by 11.6 percent, from 186,776 in Fiscal 1990 to 208,398 in Fiscal 1991 (Table CC-18). Also increasing, by 3.1 percent, were the number of pending criminal cases, from 64,936 in Fiscal 1990 to the Fiscal 1991 level of 66,940 cases (Table CC-23). The number of juvenile cases pending at the close of the fiscal year also increased by 12.4 percent, from 25,543 in Fiscal 1990 to 28,722 in Fiscal 1991 (Table CC-28). The five major jurisdictions accounted for 83.7 percent (254,587) of the total pending cases.

Trends

The trend of ever-increasing filings continued in the circuit courts during Fiscal 1991. Since

Fiscal 1981, when 141,958 filings were recorded, the number of total filings has increased each year to the present level of 243,218 filings, over 14,000 more filings than the previous year. Civil and criminal filings continued to increase during the fiscal year, while juvenile filings decreased by 9.6 percent due largely to the decrease realized in delinquency filings. With the exception of Fiscal 1989 when a rather insignificant decrease of less than one percent was realized, overall terminations have also increased steadily over the last five years. More than 11,000 additional cases were disposed of in Fiscal 1991 than in the previous fiscal year.

In past years, increased requests for jury trials have resulted in the continued influx of criminal filings in the circuit courts. However, a pilot program underway in several jurisdictions to curtail the number of jury trial prayers has been effective in reducing the number of requests. Criminal filings have continued to increase in spite of the decrease in jury trial prayers because of increasing indictment information filings. The majority of the criminal filings at one time were comprised of jury trial prayers; however, indictment information filings have accounted for the major portion of criminal filings over the last two fiscal years. During Fiscal 1990, indictment information filings constituted 46.8 percent of all criminal filings. That figure increased to 47.8 percent in Fiscal 1991. The circuit courts can expect the percentage to increase steadily with the anticipated increase in criminal activity. Most felonies are included in the indictment information category.

Civil filings, which have increased by 29.1 percent over the last five years, are also expected to continue on an upward trend. Torts

filings, along with contract and domestic related cases will help to propel increased civil filings. The trend in juvenile filings will depend primarily on the direction of delinquency and C.I.N.A. filings. As "older" juveniles continue to com-

mit crimes that result in their being charged as adults, delinquency filings may decrease or level off.

As the drug epidemic in this society continues to worsen, breeding other criminal activity, the entire judiciary will be burdened with

the task of adjudicating an ever-increasing workload. However, the adjudication of that workload in the circuit courts, as well as in the other courts in this State, will be done as expeditiously and fairly as possible.

TABLE CC-5
JURY TRIAL PRAYERS PRE- AND POST-GERSTUNG LAW (CHAPTER 608)

	Pre-Ch. 608	Post-Ch. 608									
	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
Baltimore City*	5,925	2,034	3,209	4,128	5,948	7,407	8,698	8,714	7,905	4,061	3,140
Anne Arundel County	503	381	392	459	720	922	1,066	1,343	2,037	2,045	2,383
Baltimore County	1,312	1,050	1,424	1,513	2,245	3,363	4,348	4,683	5,499	5,691	4,002
Montgomery County	636	489	1,223	1,924	2,631	2,511	3,560	3,955	3,709	2,210	1,810
Prince George's County	952	895	1,583	2,755	4,043	4,348	4,003	3,111	2,937	3,314	2,955
All Other Counties	2,962	1,399	1,930	2,414	3,593	4,733	6,569	7,978	9,339	10,562	10,814
Total	12,290	6,248	9,761	13,193	19,180	23,284	28,244	29,784	31,426	27,883	25,104

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

TABLE CC-6
TOTAL CASES FILED, TERMINATED, AND PENDING
IN THE CIRCUIT COURTS

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	PENDING	Filed	Terminated	PENDING
	Beginning of the Year			End of the Year
FIRST CIRCUIT	5,014	9,190	8,804	5,400
Dorchester	1,240	1,674	1,586	1,328
Somerset	648	1,579	1,509	718
Wicomico	1,642	3,577	3,680	1,539
Worcester	1,484	2,360	2,029	1,815
SECOND CIRCUIT	4,403	9,721	8,628	5,496
Caroline	506	1,401	1,258	649
Cecil	2,318	4,001	3,359	2,960
Kent	417	966	832	551
Queen Anne's	529	1,648	1,514	663
Talbot	633	1,705	1,665	673
THIRD CIRCUIT	33,768	31,995	28,286	37,477
Baltimore	26,680	25,384	22,994	29,070
Harford	7,088	6,611	5,292	8,407
FOURTH CIRCUIT	5,703	8,645	7,997	6,351
Allegany	1,868	2,366	2,148	2,086
Garrett	439	1,090	1,082	447
Washington	3,396	5,189	4,767	3,818
FIFTH CIRCUIT	32,961	38,995	33,499	38,457
Anne Arundel	23,573	26,633	23,137	27,069
Carroll	4,213	4,978	4,038	5,153
Howard	5,175	7,384	6,324	6,235
SIXTH CIRCUIT	36,741	34,551	22,688	48,604
Frederick	2,900	5,281	4,095	4,086
Montgomery	33,841	29,270	18,593	44,518
SEVENTH CIRCUIT	38,031	50,728	43,156	45,603
Calvert	1,639	2,868	3,076	1,431
Charles	3,702	4,934	4,275	4,361
Prince George's	30,663	39,037	32,442	37,258
St. Mary's	2,027	3,889	3,363	2,553
EIGHTH CIRCUIT	110,142	59,393	52,863	116,672
Baltimore City	110,142	59,393	52,863	116,672
STATE	266,763	243,218	205,921	304,060

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is also reflected in Tables CC-18, CC-23, and CC-28.

TABLE CC-7
PERCENTAGES OF ORIGINAL AND REOPENED CASES FILED

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	CIVIL		CRIMINAL		JUVENILE		TOTAL (100%)
	Number	Percent	Number	Percent	Number	Percent	
FIRST CIRCUIT	5,142	56.0	3,285	35.7	763	8.3	9,190
Dorchester	1,048	62.6	495	29.6	131	7.8	1,674
Somerset	898	56.9	597	37.8	84	5.3	1,579
Wicomico	1,851	51.8	1,382	38.6	344	9.6	3,577
Worcester	1,345	57.0	811	34.4	204	8.6	2,360
SECOND CIRCUIT	6,328	65.1	2,337	24.0	1,056	10.9	9,721
Caroline	989	70.6	298	21.3	114	8.1	1,401
Cecil	2,394	59.8	1,133	28.3	474	11.9	4,001
Kent	692	71.6	219	22.7	55	5.7	966
Queen Anne's	1,169	71.0	246	14.9	233	14.1	1,648
Talbot	1,084	63.6	441	25.9	180	10.5	1,705
THIRD CIRCUIT	17,370	54.3	10,465	32.7	4,160	13.0	31,995
Baltimore	14,061	55.4	7,955	31.3	3,368	13.3	25,384
Harford	3,309	50.0	2,510	38.0	792	12.0	6,611
FOURTH CIRCUIT	5,503	63.7	1,953	22.6	1,189	13.7	8,645
Allegany	1,591	67.2	494	20.9	281	11.9	2,366
Garrett	810	74.3	137	12.6	143	13.1	1,090
Washington	3,102	59.8	1,322	25.5	765	14.7	5,189
FIFTH CIRCUIT	23,258	59.6	11,194	28.7	4,543	11.7	38,995
Anne Arundel	17,016	63.9	6,308	23.7	3,309	12.4	26,633
Carroll	2,529	50.8	1,900	38.2	549	11.0	4,978
Howard	3,713	50.3	2,986	40.4	685	9.3	7,384
SIXTH CIRCUIT	23,634	68.4	6,336	18.3	4,581	13.3	34,551
Frederick	3,195	60.5	1,479	28.0	607	11.5	5,281
Montgomery*	20,439	69.8	4,857	16.6	3,974	13.6	29,270
SEVENTH CIRCUIT	33,086	65.2	10,881	21.5	6,761	13.3	50,728
Calvert	1,277	44.5	1,186	41.4	405	14.1	2,868
Charles	3,200	64.8	1,118	22.7	616	12.5	4,934
Prince George's	26,007	66.6	7,640	19.6	5,390	13.8	39,037
St. Mary's	2,602	66.9	937	24.1	350	9.0	3,889
EIGHTH CIRCUIT	22,756	38.3	23,000	38.7	13,637	23.0	59,393
Baltimore City	22,756	38.3	23,000	38.7	13,637	23.0	59,393
STATE	137,077	56.3	69,451	28.6	36,690	15.1	243,218

*Juvenile causes heard at District Court level.

TABLE CC-8
CATEGORIES OF FILINGS
ORIGINAL AND REOPENED CASES FILED
JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	1,048	898	1,851	1,345	989	2,394	692	1,169	1,084	14,061	3,309	1,591	810	3,102	17,016	2,529	3,713	3,195	20,439	1,277	3,200	26,007	2,602	22,756	137,077
TORT:																									
Motor Tort	37	26	78	57	24	84	14	36	38	1,580	269	74	14	73	849	149	253	123	1,226	58	212	2,302	133	4,542	12,251
Other Tort	12	3	22	15	11	14	13	7	4	534	52	7	12	45	150	30	116	81	618	32	49	716	12	1,464	4,019
CONTRACT	28	19	122	100	23	42	32	37	66	1,921	194	10	46	159	1,303	79	694	251	7,602	63	189	2,099	60	1,602	16,741
CONDEMNATION	0	0	0	0	0	0	0	0	0	44	2	0	0	0	34	1	6	3	10	1	2	14	3	115	243
CONTESTED CONFESSION	5	3	0	4	0	0	0	0	0	6	0	0	0	0	4	9	0	0	0	4	2	0	0	257	319
JUDGMENT																									
OTHER LAW	32	29	33	39	0	197	4	2	0	337	180	170	5	0	203	2	0	68	851	33	1	0	47	2	2,235
APPEALS:																									
District Court—On Record	2	0	5	15	0	10	2	2	3	86	14	2	3	6	25	2	7	12	58	2	2	2	5	0	265
District Court—De Novo	2	2	16	2	2	12	3	5	6	175	40	2	2	12	106	2	32	20	146	2	12	5	4	0	610
Administrative Agencies	29	28	36	48	22	48	13	16	18	486	147	73	14	72	324	82	100	52	348	39	44	344	32	1,086	3,501
UNREPORTED LAW	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	91	0	0	0	0	0	0	99
DIVORCE/NULLITY	164	142	575	231	146	504	171	205	242	3,417	896	400	173	798	4,494	699	1,020	925	3,055	317	790	5,056	660	3,789	28,869
OTHER DOMESTIC RELATIONS	64	156	258	168	200	660	126	194	72	2,293	298	102	269	591	1,158	559	490	673	230	194	538	5,099	433	779	15,604
ADOPTION/GUARDIANSHIP	24	6	33	21	15	60	44	20	27	243	106	26	56	92	269	72	143	127	557	30	59	385	75	505	2,995
PATERNITY	553	411	459	314	382	493	195	321	279	1,164	394	318	121	594	4,727	106	250	452	1,030	233	908	5,745	840	2,136	22,425
OTHER GENERAL	92	69	210	326	155	259	6	304	216	1,744	711	392	89	415	3,274	724	516	309	2,407	127	383	4,200	259	6,451	23,831
UNREPORTED CATEGORY	4	4	4	5	9	10	6	3	100	31	6	15	6	239	92	13	86	8	2,301	12	9	40	39	28	3,070
JUVENILE—TOTALS	131	84	344	204	114	474	55	233	180	3,358	792	281	143	765	3,309	549	685	607	3,974	405	616	5,390	350	13,637	36,690
DELINQUENCY	82	53	299	182	85	252	39	178	107	2,551	455	158	59	471	2,301	351	551	487	3,113	273	485	4,149	247	10,369	27,297
ADULT	0	2	1	0	2	1	0	2	0	1	0	0	0	0	2	8	1	1	7	0	2	0	2	0	32
CHILD IN NEED OF SUPERVISION	0	2	0	0	3	1	2	23	10	16	11	14	11	23	18	25	4	27	120	1	1	4	2	131	449
CHILD IN NEED OF ASSISTANCE	49	27	43	21	22	220	12	30	60	792	322	101	73	268	988	148	94	87	715	131	124	1,213	95	3,137	8,772
UNREPORTED CATEGORY	0	0	1	1	2	0	2	0	3	8	4	8	0	3	0	17	35	5	19	0	4	24	4	0	140
CRIMINAL—TOTALS	495	597	1,382	811	298	1,133	219	246	441	7,955	2,510	494	137	1,322	6,308	1,900	2,986	1,479	4,857	1,186	1,118	7,640	937	23,000	69,451
INDICTMENT INFORMATION	220	194	551	243	166	309	113	116	252	2,910	703	256	81	495	3,281	344	1,137	755	1,943	399	710	4,340	319	13,351	33,188
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle	24	10	7	36	12	49	10	16	11	492	81	29	6	32	179	149	217	48	403	28	31	88	4	296	2,258
Other	12	15	17	33	7	41	5	3	13	410	39	30	6	35	112	40	82	15	494	20	29	160	13	611	2,242
JURY TRIAL PRAYED—MOTOR	76	126	235	233	33	411	26	43	65	1,229	980	62	23	295	905	648	742	401	922	507	99	1,091	258	2,066	11,476
JURY TRIAL PRAYED—OTHER	160	252	541	261	67	275	59	63	95	2,773	661	115	15	431	1,478	710	803	249	888	230	225	1,864	339	5,692	18,246
NONSUPPORT	0	0	0	1	0	0	0	0	0	60	1	0	0	0	34	1	0	1	0	0	1	1	0	185	285
POST CONVICTION	0	0	0	0	10	2	1	4	0	10	9	0	0	27	6	0	5	0	6	0	14	67	0	114	281
UNREPORTED CATEGORY	3	0	25	4	3	46	5	1	5	71	36	2	6	7	313	8	0	10	201	2	9	29	4	685	1,475

NOTE: See note on Table CC-17.

TABLE CC-9
CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL AND REOPENED CASES FILED
JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Dorchester	Somerset	Wilcomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	1,004	940	2,051	1,085	891	2,031	623	1,056	1,073	11,232	2,442	1,509	759	2,733	14,713	1,931	2,995	2,196	10,773	1,209	2,568	21,104	2,175	20,026	109,119
TORT:																									
Motor Tort	27	26	83	34	16	73	12	28	46	1,316	203	65	14	74	698	102	220	104	854	50	140	1,892	87	3,433	9,597
Other Tort	10	5	25	9	12	4	12	4	9	431	26	16	14	22	101	14	49	50	442	23	21	502	9	810	2,620
CONTRACT	26	14	111	77	15	19	24	32	72	1,409	127	25	34	122	850	56	460	220	2,609	65	108	1,490	31	1,262	9,258
CONDEMNATION	1	0	0	0	0	0	0	0	0	47	2	5	1	1	26	1	10	3	25	1	4	12	3	129	285
CONTESTED/CONFESSION	7	6	1	2	0	0	0	10	10	3	0	4	0	2	38	3	0	0	4	3	1	1	1	240	336
JUDGMENT																									
OTHER LAW	25	33	28	35	0	137	7	7	8	298	165	104	6	0	161	1	0	84	212	23	0	6	70	24	1,434
APPEALS:																									
District Court—On Record	6	0	6	11	0	10	0	4	3	72	13	4	1	6	15	1	11	4	39	3	2	1	4	0	216
District Court—De Novo	2	1	18	5	1	14	6	3	3	160	31	8	3	5	108	3	23	15	111	1	7	6	1	0	535
Administrative Agencies	27	56	38	28	23	30	14	16	25	450	102	88	12	51	296	55	149	50	146	45	35	271	67	818	2,892
UNREPORTED LAW	1	0	0	0	0	0	0	0	0	1	0	0	0	6	0	0	0	4	0	0	0	0	0	0	12
DIVORCE/NULLITY	199	159	597	181	123	465	176	161	243	2,834	838	423	182	712	4,207	620	904	791	2,164	348	670	4,920	575	3,577	26,069
OTHER DOMESTIC RELATIONS	58	155	312	145	192	631	105	171	69	1,843	121	175	254	525	1,032	440	406	368	248	173	471	3,584	352	790	12,620
ADOPTION/GUARDIANSHIP	26	7	40	13	13	45	37	19	24	219	112	28	45	79	227	59	119	102	430	33	45	285	56	429	2,492
PATERNITY	475	391	550	216	363	426	175	321	262	805	247	239	109	538	4,123	55	193	147	807	207	797	4,746	709	2,437	19,338
OTHER GENERAL	114	87	239	329	131	175	52	266	196	1,339	455	308	82	399	2,807	514	451	251	1,383	228	267	3,383	206	6,070	19,732
UNREPORTED CATEGORY	0	0	3	0	2	2	3	0	103	5	0	17	2	191	24	7	0	3	1,299	6	0	5	4	7	1,683
JUVENILE—TOTALS	113	78	327	209	123	457	65	215	169	3,261	742	241	149	722	3,302	464	566	570	4,096	376	600	4,270	304	11,200	32,619
DELINQUENCY																									
ADULT	74	45	276	176	87	223	52	169	111	2,526	406	131	68	440	2,292	304	488	458	3,234	251	470	3,469	234	8,244	24,228
CHILD IN NEED OF SUPERVISION	0	2	1	0	3	1	0	2	0	1	0	0	0	0	2	6	1	0	6	1	0	0	1	6	33
CHILD IN NEED OF ASSISTANCE	0	2	0	0	8	1	4	19	8	17	17	16	14	25	21	25	4	23	90	2	1	1	0	88	386
UNREPORTED CATEGORY	39	29	50	31	23	232	9	25	50	709	316	82	67	256	987	120	73	86	757	122	127	798	69	2,862	7,919
CRIMINAL—TOTALS	469	491	1,302	735	244	871	144	243	423	8,501	2,108	398	174	1,312	5,122	1,643	2,763	1,329	3,724	1,491	1,107	7,068	884	21,637	64,183
INDICTMENT INFORMATION																									
APPEALS FROM DISTRICT COURT:	227	122	534	222	150	305	67	120	244	2,755	551	192	115	456	2,748	328	1,048	871	1,500	406	726	3,969	309	11,549	29,514
Motor Vehicle	17	11	9	36	9	41	2	14	12	474	60	25	7	32	146	114	194	32	353	33	25	83	5	308	2,042
Other	13	16	16	21	6	30	7	3	10	393	32	22	6	46	101	34	68	20	296	19	29	133	10	566	1,897
JURY TRIAL PRAYED—MOTOR	55	120	244	202	35	260	22	44	68	1,449	863	64	25	319	811	564	717	251	922	780	131	1,010	249	2,811	12,016
JURY TRIAL PRAYED—OTHER	156	222	493	253	43	233	44	58	89	3,357	593	94	17	438	1,263	603	730	155	653	253	184	1,802	311	5,907	17,951
NONSUPPORT	0	0	0	0	0	0	0	0	0	70	0	1	0	1	21	0	0	0	0	0	1	1	0	278	373
POST CONVICTION	0	0	6	0	1	2	1	4	0	3	9	0	4	20	0	0	6	0	0	0	11	70	0	75	212
UNREPORTED CATEGORY	1	0	0	1	0	0	1	1	0	0	0	0	0	0	32	0	0	0	0	0	0	0	0	143	178

NOTE: See note on Table CC-8.

TABLE CC-10
COURT TRIALS, JURY TRIALS, AND HEARINGS BY
COUNTY, CIRCUIT, AND FUNCTIONAL AREA

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	1ST CIRCUIT	2ND CIRCUIT	3RD CIRCUIT	4TH CIRCUIT	5TH CIRCUIT	6TH CIRCUIT	7TH CIRCUIT	8TH CIRCUIT	TOTAL (STATE)
	Dorchester Somerset Wicomico Worcester	Caroline Cecil Kent Queen Anne's Talbot	Baltimore Harford	Allegany Garrett Washington	Anne Arundel Carroll Howard	Frederick Montgomery	Calvert Charles Prince George's St. Mary's	Baltimore City	
CASES TRIED BY COUNTY & CIRCUIT									
Civil									
Court Trials	36	171	610	91	302	67	121	1,424	5,884
Jury Trials	1	6	195	14	116	34	15	256	1,235
Criminal									
Court Trials	80	11	853	6	795	15	32	256	4,124
Jury Trials	46	35	162	18	104	26	23	432	1,754
COUNTY TOTALS									
Court Trials	116	182	1,463	97	1,097	82	153	1,680	10,007
Jury Trials	47	41	357	32	220	60	38	688	2,989
TOTAL	163	223	1,820	129	1,317	142	191	2,368	12,996
CIRCUIT TOTALS									
Court Trials	833	1,027	1,702	325	1,887	667	1,886	1,680	10,007
Jury Trials	208	209	423	114	311	361	675	688	2,989
TOTAL	1,041	1,236	2,125	439	2,198	1,028	2,561	2,368	12,996
CIVIL, CRIMINAL, & JUVENILE HEARINGS									
Civil Hearings	521	482	8,266	428	6,705	876	627	5,835	66,913
Criminal Hearings	777	531	7,746	953	5,471	1,695	2,312	13,766	87,966
Juvenile Hearings	156	229	4,256	225	4,836	1,350	768	30,864	69,495
COUNTY TOTALS	1,454	1,242	16,052	1,606	17,012	3,921	3,707	50,465	224,374
CIRCUIT TOTALS	7,160	9,026	25,456	6,209	29,134	37,019	59,905	50,465	224,374

NOTE: Information on criminal court trials and jury trials in Baltimore City is obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-11
JUDICIAL PROCEEDINGS AND COURTROOM DAYS BY COUNTY

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Hearings	Hearing Days	Court Trials	Court Days	Jury Trials	Jury Days	Total Judicial Proceedings	Total Courtroom Days
FIRST CIRCUIT								
Dorchester	1,454	1,473	116	116	47	67	1,617	1,656
Somerset	1,353	1,353	49	49	42	42	1,444	1,444
Wicomico	3,015	3,016	222	227	82	98	3,319	3,341
Worcester	1,338	1,340	446	447	37	39	1,821	1,826
SECOND CIRCUIT								
Caroline	1,242	1,242	182	185	41	41	1,465	1,468
Cecil	3,712	3,716	520	535	71	101	4,303	4,352
Kent	1,000	1,001	20	21	10	12	1,030	1,034
Queen Anne's	1,467	1,471	54	75	49	58	1,570	1,604
Talbot	1,605	1,607	251	270	38	48	1,894	1,925
THIRD CIRCUIT								
Baltimore	20,268	20,318	1,463	1,602	357	876	22,088	22,796
Harford	5,188	5,198	239	280	66	170	5,493	5,648
FOURTH CIRCUIT								
Allegany	1,606	1,606	97	101	32	44	1,735	1,751
Garrett	750	754	118	121	8	17	876	892
Washington	3,853	3,866	110	120	74	87	4,037	4,073
FIFTH CIRCUIT								
Anne Arundel	17,012	17,132	1,097	1,212	220	428	18,329	18,772
Carroll	4,990	5,021	66	69	21	28	5,077	5,118
Howard	7,132	7,152	724	783	70	220	7,926	8,155
SIXTH CIRCUIT								
Frederick	3,921	3,929	82	117	60	105	4,063	4,151
Montgomery	33,098	33,249	585	723	301	495	33,984	34,467
SEVENTH CIRCUIT								
Calvert	3,707	3,707	153	165	38	46	3,898	3,918
Charles	5,142	5,143	346	351	84	110	5,572	5,604
Prince George's	47,416	47,466	968	1,004	522	1,183	48,906	49,653
St. Mary's	3,640	3,643	419	422	31	55	4,090	4,120
EIGHTH CIRCUIT								
Baltimore City	50,465	50,537	1,680	1,781	688	901	52,833	53,219
STATE	224,374	224,940	10,007	10,776	2,989	5,271	237,370	240,987

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings. The number of court and jury days for Baltimore City was extrapolated based on the ratio of court and jury trials to court and jury days in previous years.

TABLE CC-12
 APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND
 PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT
 JULY 1, 1990—JUNE 30, 1991
 FISCAL 1991

	1ST CIRCUIT	2ND CIRCUIT	3RD CIRCUIT	4TH CIRCUIT	5TH CIRCUIT	6TH CIRCUIT	7TH CIRCUIT	8TH CIRCUIT	TOTAL (STATE)
	Dorchester Somerset Wicomico Worcester	Caroline Cecil Kent Queen Anne's Talbot	Baltimore Harford	Allegany Garrett Washington	Anne Arundel Carroll Howard	Frederick Montgomery	Calvert Charles Prince George's St. Mary's	Baltimore City	
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES									
LAW									
District Court—De Novo	2	2	175	2	106	20	2	0	610
—On Record	2	0	86	2	25	12	2	0	265
Administrative Agencies	29	22	486	73	324	52	39	1,086	3,501
Subtotal	33	24	747	77	455	84	43	1,086	4,376
CRIMINAL									
Motor Vehicle	24	12	492	29	179	48	28	296	2,258
Other	12	7	410	30	112	15	20	611	2,242
Subtotal	36	19	902	59	291	63	48	907	4,500
TOTAL	69	43	1,649	136	746	147	91	1,993	8,876
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT									
Prayers for Jury Trials and Appeals:									
County	276	121	5,165	240	2,805	745	789	8,665	35,097
Circuit	2,082	1,349	6,980	1,106	6,239	3,656	5,020	8,665	35,097
Circuit Court Filings:									
County	1,674	1,401	25,384	2,366	26,633	5,281	2,868	59,393	243,218
Circuit	9,190	9,721	31,995	8,645	38,995	34,551	50,728	59,393	243,218
Percentage of Circuit Court Filings that are Jury Trials and Appeals:									
County	16.5	8.6	20.3	10.1	10.5	14.1	27.5	14.6	14.4
Circuit	22.7	13.9	21.8	12.8	16.0	10.6	9.9	14.6	14.4

TABLE CC-13
AVERAGE DAYS FROM FILING TO DISPOSITION

	CIVIL			CRIMINAL			JUVENILE		
	1988-89	1989-90	1990-91	1988-89	1989-90	1990-91	1988-89	1989-90	1990-91
FIRST CIRCUIT									
Dorchester	144	192	225	110	156	136	33	48	67
Somerset	117	123	165	114	131	114	24	19	18
Wicomico	173	178	211	99	83	90	35	38	40
Worcester	169	157	181	113	122	109	58	52	56
SECOND CIRCUIT									
Caroline	165	159	155	133	141	153	47	70	52
Cecil	170	157	149	145	156	175	57	59	75
Kent	136	155	190	165	161	158	44	58	50
Queen Anne's	176	158	155	131	133	129	42	57	48
Talbot	198	186	169	174	153	129	48	77	52
THIRD CIRCUIT									
Baltimore	202	202	199	89	104	98	51	56	58
Harford	200	198	209	148	142	135	54	58	63
FOURTH CIRCUIT									
Allegany	199	218	255	145	145	143	48	58	62
Garrett	164	159	167	123	124	135	49	44	41
Washington	169	149	149	138	135	164	49	46	58
FIFTH CIRCUIT									
Anne Arundel	204	223	203	149	139	138	84	91	89
Carroll	194	186	187	176	149	124	58	63	51
Howard	246	249	224	131	132	128	57	65	61
SIXTH CIRCUIT									
Frederick	187	193	191	149	160	169	77	88	97
Montgomery	233	226	227	168	144	194	112	111	107
SEVENTH CIRCUIT									
Calvert	216	179	207	98	102	124	93	66	73
Charles	177	173	187	145	144	153	71	72	76
Prince George's	216	234	222	125	123	121	76	73	76
St. Mary's	165	167	169	160	140	128	73	82	72
EIGHTH CIRCUIT									
Baltimore City	220	211	231	91	104	109	64	70	77
STATE	208	209	211	121	121	120	67	72	76

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile causes over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-14
POPULATION IN RELATION TO CIRCUIT COURT CASELOAD*
JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Population	POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE						CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
		No. of Judges	Population Per Judge	Cases Filed Per Judge		Cases Terminated Per Judge					No. of Jury Trials	Per 1000 Population
				Civil**	Criminal	Civil**	Criminal	Civil**	Criminal	Total		
FIRST CIRCUIT												
Dorchester	30,300	1	30,300	1,179	495	1,117	469	39	16	55	47	1.55
Somerset	20,200	1	20,200	982	597	1,018	491	49	30	79	42	2.08
Wicomico	75,700	3	25,233	732	461	793	434	29	18	47	82	1.08
Worcester	41,200	2	20,600	775	406	647	368	38	20	58	37	0.90
SECOND CIRCUIT												
Caroline	26,300	1	26,300	1,103	298	1,014	244	42	11	53	41	1.56
Cecil	75,600	2	37,800	1,434	567	1,244	436	38	15	53	71	0.94
Kent	17,300	1	17,300	747	219	688	144	43	13	56	10	0.58
Queen Anne's	35,100	1	35,100	1,402	246	1,271	243	40	7	47	49	1.40
Talbot	28,900	1	28,900	1,264	441	1,242	423	44	15	59	38	1.31
THIRD CIRCUIT												
Baltimore	689,100	15	45,940	1,162	530	966	567	25	12	37	357	0.52
Harford	179,500	4	44,875	1,025	628	796	527	23	14	37	66	0.37
FOURTH CIRCUIT												
Allegany	71,800	2	35,900	936	247	875	199	26	7	33	32	0.45
Garrett	26,400	1	26,400	953	137	908	174	36	5	41	8	0.30
Washington	120,600	3	40,200	1,289	441	1,152	437	32	11	43	74	0.61
FIFTH CIRCUIT												
Anne Arundel	441,400	9	49,044	2,258	701	2,002	569	46	14	60	220	0.50
Carroll	130,000	3	43,333	1,026	633	798	548	24	15	39	21	0.16
Howard	186,300	4	46,575	1,099	747	890	691	24	16	40	70	0.38
SIXTH CIRCUIT												
Frederick	152,700	3	50,900	1,267	493	922	443	25	10	35	60	0.39
Montgomery	774,600	14	55,329	1,460	347	770	266	26	6	32	301	0.39
SEVENTH CIRCUIT												
Calvert	54,800	1	54,800	1,682	1,186	1,585	1,491	31	22	53	38	0.69
Charles	106,800	3	35,600	1,272	373	1,056	369	36	10	46	84	0.79
Prince George's	707,900	18	39,328	1,744	424	1,410	393	44	11	55	522	0.74
St. Mary's	77,000	2	38,500	1,476	469	1,240	442	38	12	50	31	0.40
EIGHTH CIRCUIT												
Baltimore City	738,000	25	29,520	1,456	920	448	865	49	31	80	688	0.93
STATE	4,807,500	120	40,063	1,448	579	1,181	535	36	14	50	2,989	0.62

*Population estimate for July 1, 1991, issued by the Maryland Center for Health Statistics.

**Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-15
FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES
FISCAL 1987—FISCAL 1991

	1986-1987		1987-1988		1988-1989		1989-1990		1990-1991	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	151	115	211	99	163	156	165	124	198	141
Dorchester	31	58	43	22	41	22	37	22	40	29
Somerset	13	12	13	16	13	80	9	31	27	28
Wicomico	46	26	62	25	45	29	41	41	45	36
Worcester	61	19	93	36	64	25	78	30	86	48
SECOND CIRCUIT	192	81	235	87	215	82	185	103	212	117
Caroline	20	6	33	16	28	7	22	16	21	22
Cecil	95	39	120	32	105	33	95	36	112	48
Kent	15	7	15	15	16	12	17	10	20	13
Queen Anne's	31	14	28	7	28	12	25	16	26	16
Talbot	31	15	39	17	38	18	26	25	33	18
THIRD CIRCUIT	1,208	512	1,334	650	1,283	505	1,155	589	1,337	633
Baltimore	1,066	418	1,173	508	1,095	395	1,033	483	1,163	486
Harford	142	94	161	142	188	110	122	106	174	147
FOURTH CIRCUIT	155	113	175	142	184	160	177	176	165	159
Allegany	47	59	48	74	55	69	56	102	63	73
Garrett	24	13	15	15	15	13	21	23	17	14
Washington	84	41	112	53	114	78	100	51	85	72
FIFTH CIRCUIT	678	475	673	555	786	394	869	450	953	506
Anne Arundel	344	366	262	402	292	273	381	272	422	324
Carroll	117	41	157	57	205	44	169	72	193	82
Howard	217	68	254	96	289	77	319	106	338	100
SIXTH CIRCUIT	646	254	924	127	1,005	50	1,147	239	1,196	400
Frederick	79	40	112	56	141	50	126	56	95	52
Montgomery	567	214	812	71	864	0	1,021	183	1,101	348
SEVENTH CIRCUIT	434	294	406	232	282	307	379	435	407	459
Calvert	41	36	36	26	37	28	65	40	52	39
Charles	103	27	55	43	53	48	89	54	74	44
Prince George's	281	170	291	136	178	196	214	306	255	344
St. Mary's	9	61	24	27	14	35	11	35	26	32
EIGHTH CIRCUIT	951	368	819	381	609	893	658	1,014	907	1,086
Baltimore City	951	368	819	381	609	893	658	1,014	907	1,086
STATE	4,415	2,212	4,777	2,273	4,527	2,547	4,735	3,130	5,375	3,501

TABLE CC-16
APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES
JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Filed During Year	Withdrawn by Applicant	TERMINATED, CONSIDERED, AND DISPOSED OF		
			Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
FIRST CIRCUIT					
Dorchester	1	0	1	0	0
Somerset	2	0	2	0	0
Wicomico	0	0	0	0	0
Worcester	0	0	0	0	0
SECOND CIRCUIT					
Caroline	0	0	0	0	0
Cecil	9	0	11	0	0
Kent	0	0	0	0	0
Queen Anne's	0	0	0	0	0
Talbot	0	0	0	0	0
THIRD CIRCUIT					
Baltimore	1	0	1	0	0
Harford	2	1	3	0	0
FOURTH CIRCUIT					
Allegany	4	0	3	0	0
Garrett	4	1	5	0	0
Washington	25	6	19	0	2
FIFTH CIRCUIT					
Anne Arundel	0	0	0	0	0
Carroll	0	0	0	0	0
Howard	7	1	4	0	1
SIXTH CIRCUIT					
Frederick	5	3	2	0	8
Montgomery	0	0	0	0	0
SEVENTH CIRCUIT					
Calvert	0	0	1	0	0
Charles	10	0	15	0	1
Prince George's	43	15	36	0	0
St. Mary's	0	0	0	0	0
EIGHTH CIRCUIT					
Baltimore City	114	2	124	0	1
STATE	227	29	227	0	13

TABLE CC-17
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS
FISCAL 1987—FISCAL 1991

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1986-87		1987-88		1988-89		1989-90		1990-91	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	4,550	4,342	4,719	4,392	5,114	4,521	5,275	4,509	5,142	5,080
Dorchester	1,398	1,271	1,190	1,036	998	711	1,049	881	1,048	1,004
Somerset	700	654	783	742	866	802	836	746	898	940
Wicomico	1,358	1,310	1,650	1,524	2,076	1,883	2,068	1,792	1,851	2,051
Worcester	1,094	1,107	1,096	1,090	1,174	1,125	1,322	1,090	1,345	1,085
SECOND CIRCUIT	3,917	3,441	4,373	3,964	4,778	4,467	5,773	5,066	6,328	5,674
Caroline	656	547	832	807	864	852	941	882	989	891
Cecil	1,626	1,428	1,875	1,589	2,017	1,882	2,236	1,861	2,394	2,031
Kent	451	445	376	370	417	377	603	503	692	623
Queen Anne's	563	562	619	579	751	689	1,134	1,015	1,169	1,056
Talbot	621	459	671	619	729	667	859	805	1,084	1,073
THIRD CIRCUIT	14,547	12,061	16,676	15,351	16,674	13,923	16,879	13,798	17,370	13,674
Baltimore	11,633	9,640	13,365	11,899	13,111	10,304	13,673	11,260	14,061	11,232
Harford	2,914	2,421	3,311	3,452	3,563	3,619	3,206	2,538	3,309	2,442
FOURTH CIRCUIT	4,381	3,558	4,827	4,983	4,924	4,434	5,486	4,281	5,503	5,001
Allegany	1,221	774	1,388	1,739	1,527	1,265	1,601	1,156	1,591	1,509
Garrett	541	537	676	659	652	605	707	649	810	759
Washington	2,619	2,247	2,763	2,585	2,745	2,564	3,178	2,476	3,102	2,733
FIFTH CIRCUIT	14,110	13,338	14,206	11,199	14,040	10,049	17,443	16,402	23,258	19,639
Anne Arundel	9,835	9,453	9,012	6,038	8,947	5,500	11,731	11,591	17,016	14,713
Carroll	1,895	1,785	2,013	1,919	1,983	1,873	2,332	1,871	2,529	1,931
Howard	2,380	2,100	3,181	3,242	3,110	2,676	3,380	2,940	3,713	2,995
SIXTH CIRCUIT	14,944	11,627	16,976	13,706	19,188	14,469	23,251	13,481	23,634	12,969
Frederick	2,274	1,866	2,573	2,173	2,397	1,884	2,756	2,673	3,195	2,196
Montgomery	12,670	9,761	14,403	11,533	16,791	12,585	20,495	10,808	20,439	10,773
SEVENTH CIRCUIT	26,462	24,648	27,374	24,023	28,314	23,734	29,546	23,954	33,086	27,056
Calvert	914	888	959	916	943	1,013	1,123	951	1,277	1,209
Charles	2,990	2,535	3,063	2,660	2,953	2,536	2,892	2,231	3,200	2,568
Prince George's	20,817	19,652	21,451	18,758	22,324	18,561	23,629	19,173	26,007	21,104
St. Mary's	1,741	1,573	1,901	1,689	2,094	1,624	1,902	1,599	2,602	2,175
EIGHTH CIRCUIT	23,282	11,879	23,494	20,154	23,067	19,391	25,240	20,702	22,756	20,026
Baltimore City	23,282	11,879	23,494	20,154	23,067	19,391	25,240	20,702	22,756	20,026
STATE	106,193	84,894	112,645	97,772	116,099	94,988	128,893	102,193	137,077	109,119

NOTE: A civil case is reopened statistically at the time a pleading is filed (i.e. a Motion for Modification of Decree is filed in a divorce case after the final decree has been issued). In a few jurisdictions, a civil case is not reopened statistically until the time a hearing is held on a case with post-judgment activity.

TABLE CC-18
CIVIL CASES FILED, TERMINATED, AND PENDING
IN THE CIRCUIT COURTS

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	PENDING	Filed	Terminated	PENDING
	Beginning of the Year			End of the Year
FIRST CIRCUIT	3,605	5,142	5,080	3,667
Dorchester	904	1,048	1,004	948
Somerset	452	898	940	410
Wicomico	1,267	1,851	2,051	1,067
Worcester	982	1,345	1,085	1,242
SECOND CIRCUIT	2,876	6,328	5,674	3,530
Caroline	349	989	891	447
Cecil	1,366	2,394	2,031	1,729
Kent	299	692	623	368
Queen Anne's	419	1,169	1,056	532
Talbot	443	1,084	1,073	454
THIRD CIRCUIT	22,846	17,370	13,674	26,542
Baltimore	18,112	14,061	11,232	20,941
Harford	4,734	3,309	2,442	5,601
FOURTH CIRCUIT	4,273	5,503	5,001	4,775
Allegany	1,663	1,591	1,509	1,745
Garrett	336	810	759	387
Washington	2,274	3,102	2,733	2,643
FIFTH CIRCUIT	25,150	23,258	19,639	28,769
Anne Arundel	18,476	17,016	14,713	20,779
Carroll	2,996	2,529	1,931	3,594
Howard	3,678	3,713	2,995	4,396
SIXTH CIRCUIT	26,531	23,634	12,969	37,196
Frederick	1,859	3,195	2,196	2,858
Montgomery	24,672	20,439	10,773	34,338
SEVENTH CIRCUIT	29,388	33,086	27,056	35,418
Calvert	817	1,277	1,209	885
Charles	2,503	3,200	2,568	3,135
Prince George's	24,727	26,007	21,104	29,630
St. Mary's	1,341	2,602	2,175	1,768
EIGHTH CIRCUIT	65,771	22,756	20,026	68,501
Baltimore City	65,771	22,756	20,026	68,501
STATE	180,440	137,077	109,119	208,398

NOTE: See note on Table CC-6.

TABLE CC-19
CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS
JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	5,080	242	4.8	194	3.8	48	1.0
Dorchester	1,004	37	3.7	36	3.6	1	0.1
Somerset	940	7	0.7	1	0.1	6	0.6
Wicomico	2,051	128	6.2	101	4.9	27	1.3
Worcester	1,085	70	6.5	56	5.2	14	1.3
SECOND CIRCUIT	5,674	817	14.4	751	13.2	66	1.2
Caroline	891	177	19.9	171	19.2	6	0.7
Cecil	2,031	491	24.2	477	23.5	14	0.7
Kent	623	30	4.8	20	3.2	10	1.6
Queen Anne's	1,056	70	6.6	47	4.4	23	2.2
Talbot	1,073	49	4.6	36	3.4	13	1.2
THIRD CIRCUIT	13,674	1,036	7.6	826	6.1	210	1.5
Baltimore	11,232	805	7.2	610	5.4	195	1.8
Harford	2,442	231	9.5	216	8.9	15	0.6
FOURTH CIRCUIT	5,001	310	6.2	283	5.7	27	0.5
Allegany	1,509	105	6.9	91	6.0	14	0.9
Garrett	759	114	15.0	111	14.6	3	0.4
Washington	2,733	91	3.3	81	3.0	10	0.3
FIFTH CIRCUIT	19,639	621	3.2	448	2.3	173	0.9
Anne Arundel	14,713	418	2.8	302	2.0	116	0.8
Carroll	1,931	21	1.1	7	0.4	14	0.7
Howard	2,995	182	6.1	139	4.7	43	1.4
SIXTH CIRCUIT	12,969	705	5.4	548	4.2	157	1.2
Frederick	2,196	101	4.6	67	3.1	34	1.5
Montgomery	10,773	604	5.6	481	4.5	123	1.1
SEVENTH CIRCUIT	27,056	1,708	6.3	1,410	5.2	298	1.1
Calvert	1,209	136	11.2	121	10.0	15	1.2
Charles	2,568	361	14.1	333	13.0	28	1.1
Prince George's	21,104	1,177	5.6	935	4.4	242	1.2
St. Mary's	2,175	34	1.6	21	1.0	13	0.6
EIGHTH CIRCUIT	20,026	1,680	8.4	1,424	7.1	256	1.3
Baltimore City	20,026	1,680	8.4	1,424	7.1	256	1.3
STATE	109,119	7,119	6.5	5,884	5.4	1,235	1.1

TABLE CC-20
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES TRIED
FISCAL 1987—FISCAL 1991

	1986-87	1987-88	1988-89	1989-90	1990-91
FIRST CIRCUIT	260	217	186	174	242
Dorchester	38	60	53	45	37
Somerset	37	8	1	15	7
Wicomico	94	106	97	77	128
Worcester	91	43	35	37	70
SECOND CIRCUIT	556	652	775	837	817
Caroline	155	182	191	201	177
Cecil	360	415	499	515	491
Kent	7	4	13	20	30
Queen Anne's	18	30	49	64	70
Talbot	16	21	23	37	49
THIRD CIRCUIT	901	790	734	952	1,036
Baltimore	460	491	555	702	805
Harford	441	299	179	250	231
FOURTH CIRCUIT	315	377	274	415	310
Allegany	141	136	96	206	105
Garrett	87	78	94	105	114
Washington	87	163	84	104	91
FIFTH CIRCUIT	719	833	624	765	621
Anne Arundel	398	429	399	431	418
Carroll	61	84	37	57	21
Howard	260	320	188	277	182
SIXTH CIRCUIT	1,603	991	854	821	705
Frederick	307	223	125	132	101
Montgomery	1,296	768	729	689	604
SEVENTH CIRCUIT	3,613	3,633	1,528	1,817	1,708
Calvert	119	128	115	140	136
Charles	388	485	378	346	361
Prince George's	3,083	2,929	966	1,312	1,177
St. Mary's	23	91	69	19	34
EIGHTH CIRCUIT	1,092	1,386	1,021	1,110	1,680
Baltimore City	1,092	1,386	1,021	1,110	1,680
STATE	9,059	8,879	5,996	6,891	7,119

NOTE: See note on Table CC-10.

TABLE CC-21
CIVIL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	592	432	225	22.0	45.3	62.0	82.1	89.7
Somerset	556	260	165	37.1	62.4	77.2	92.4	96.6
Wicomico	1,635	300	211	27.4	52.5	66.3	88.6	96.9
Worcester	837	221	181	9.3	55.2	81.1	96.5	99.4
SECOND CIRCUIT								
Caroline	434	190	155	24.7	68.9	85.9	95.6	98.8
Cecil	1,141	220	149	34.7	64.3	80.9	92.4	97.1
Kent	301	273	190	29.6	52.5	72.4	91.0	96.7
Queen Anne's	620	190	155	38.4	64.2	80.2	95.2	99.7
Talbot	727	217	169	34.9	61.6	77.9	94.6	98.6
THIRD CIRCUIT								
Baltimore	10,570	349	199	24.3	53.1	68.1	86.5	94.5
Harford	2,073	336	209	16.7	50.7	69.7	87.6	93.7
FOURTH CIRCUIT								
Allegany	1,197	425	255	15.1	38.8	54.1	78.0	93.8
Garrett	485	176	167	29.5	68.2	81.2	98.8	99.8
Washington	1,846	269	149	37.1	62.9	76.3	88.0	96.4
FIFTH CIRCUIT								
Anne Arundel	6,533	515	203	16.8	46.1	64.3	79.4	85.1
Carroll	1,477	251	187	27.0	57.9	75.7	93.4	97.6
Howard	2,454	294	224	15.7	49.1	71.6	92.0	97.8
SIXTH CIRCUIT								
Frederick	1,874	240	191	26.0	59.3	74.2	94.1	98.3
Montgomery	9,267	315	227	18.9	47.3	67.3	90.5	96.5
SEVENTH CIRCUIT								
Calvert	933	317	207	22.5	53.7	69.8	86.4	96.8
Charles	1,326	266	187	26.5	58.7	77.9	94.3	97.1
Prince George's	14,666	334	222	13.6	47.5	67.6	86.1	96.7
St. Mary's	1,120	252	169	24.6	60.2	77.8	90.2	97.9
EIGHTH CIRCUIT								
Baltimore City	17,896	421	231	21.4	42.8	57.4	82.2	91.7
STATE	80,560	353	211	20.8	49.3	66.6	86.5	94.4

NOTE: This table does not include reopened cases. In some counties, the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-22
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS
FISCAL 1987—FISCAL 1991

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1986-87		1987-88		1988-89		1989-90		1990-91	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	2,498	2,363	2,635	2,454	2,965	2,729	2,880	2,815	3,285	2,997
Dorchester	310	305	440	399	651	445	553	613	495	469
Somerset	228	211	238	182	390	360	391	386	597	491
Wicomico	1,050	1,031	1,161	1,119	1,243	1,193	1,319	1,266	1,382	1,302
Worcester	910	816	796	754	681	731	617	550	811	735
SECOND CIRCUIT	1,568	1,335	1,858	1,595	2,138	1,965	2,200	1,929	2,337	1,925
Caroline	281	210	260	280	272	272	246	224	298	244
Cecil	582	471	720	617	811	718	953	629	1,133	871
Kent	169	158	220	158	202	159	215	192	219	144
Queen Anne's	261	220	312	304	352	338	307	340	246	243
Talbot	275	276	346	236	501	478	479	544	441	423
THIRD CIRCUIT	10,573	8,619	11,046	9,200	12,330	11,302	12,192	11,609	10,465	10,609
Baltimore	8,717	7,099	8,719	7,301	9,782	9,049	9,739	9,534	7,955	8,501
Harford	1,856	1,520	2,327	1,899	2,548	2,253	2,453	2,075	2,510	2,108
FOURTH CIRCUIT	1,299	1,136	1,585	1,574	1,887	1,599	2,195	1,907	1,953	1,884
Allegany	341	323	369	444	386	322	420	435	494	398
Garrett	105	119	84	75	146	121	199	162	137	174
Washington	853	694	1,132	1,055	1,355	1,156	1,576	1,310	1,322	1,312
FIFTH CIRCUIT	6,516	5,432	7,214	5,985	8,489	7,000	9,603	8,729	11,194	9,528
Anne Arundel	3,380	2,707	3,669	2,798	4,427	3,280	4,889	4,310	6,308	5,122
Carroll	1,224	910	1,426	1,231	1,583	1,495	1,665	1,510	1,900	1,643
Howard	1,912	1,815	2,119	1,956	2,479	2,225	3,049	2,909	2,986	2,763
SIXTH CIRCUIT	6,993	3,337	8,020	7,277	8,576	8,391	7,075	5,494	6,336	5,053
Frederick	786	645	900	788	1,373	1,064	1,508	1,287	1,479	1,329
Montgomery	6,207	2,692	7,120	6,489	7,203	7,327	5,567	4,207	4,857	3,724
SEVENTH CIRCUIT	9,649	8,639	9,806	9,301	10,593	9,385	11,584	10,998	10,881	10,550
Calvert	316	346	422	368	577	481	1,494	986	1,186	1,491
Charles	948	812	954	885	1,187	962	1,256	1,055	1,118	1,107
Prince George's	7,559	6,945	7,314	7,029	7,574	6,780	7,887	7,912	7,640	7,068
St. Mary's	826	536	1,116	1,019	1,255	1,162	947	1,045	937	884
EIGHTH CIRCUIT	16,151	14,049	15,759	14,653	14,352	10,583	12,699	12,757	23,000	21,637
Baltimore City	16,151	14,049	15,759	14,653	14,352	10,583	12,699	12,757	23,000	21,637
STATE	55,247	44,910	57,923	52,039	61,330	52,954	60,428	56,238	69,451	64,183

TABLE CC-23
CRIMINAL CASES FILED, TERMINATED, AND PENDING
IN THE CIRCUIT COURTS

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	PENDING	Filed	Terminated	PENDING
	Beginning of the Year			End of the Year
FIRST CIRCUIT	1,220	3,285	2,997	1,508
Dorchester	287	495	469	313
Somerset	189	597	491	295
Wicomico	333	1,382	1,302	413
Worcester	411	811	735	487
SECOND CIRCUIT	1,333	2,337	1,925	1,745
Caroline	132	298	244	186
Cecil	832	1,133	871	1,094
Kent	102	219	144	177
Queen Anne's	102	246	243	105
Talbot	165	441	423	183
THIRD CIRCUIT	9,946	10,465	10,609	9,802
Baltimore	7,832	7,955	8,501	7,286
Harford	2,114	2,510	2,108	2,516
FOURTH CIRCUIT	1,251	1,953	1,884	1,320
Allegany	171	494	398	267
Garrett	75	137	174	38
Washington	1,005	1,322	1,312	1,015
FIFTH CIRCUIT	6,829	11,194	9,528	8,495
Anne Arundel	4,379	6,308	5,122	5,565
Carroll	1,119	1,900	1,643	1,376
Howard	1,331	2,986	2,763	1,554
SIXTH CIRCUIT	7,373	6,336	5,053	8,656
Frederick	895	1,479	1,329	1,045
Montgomery	6,478	4,857	3,724	7,611
SEVENTH CIRCUIT	7,004	10,881	10,550	7,335
Calvert	737	1,186	1,491	432
Charles	1,068	1,118	1,107	1,079
Prince George's	4,720	7,640	7,068	5,292
St. Mary's	479	937	884	532
EIGHTH CIRCUIT	26,716	23,000	21,637	28,079
Baltimore City	26,716	23,000	21,637	28,079
STATE	61,672	69,451	64,183	66,940

NOTE: See note on Table CC-6.

TABLE CC-24
CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS
JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	2,997	800	26.7	640	21.4	160	5.3
Dorchester	469	126	26.9	80	17.1	46	9.8
Somerset	491	84	17.1	48	9.8	36	7.3
Wicomico	1,302	176	13.5	121	9.3	55	4.2
Worcester	735	414	56.3	391	53.2	23	3.1
SECOND CIRCUIT	1,925	419	21.8	276	14.4	143	7.4
Caroline	244	46	18.8	11	4.5	35	14.3
Cecil	871	100	11.5	43	4.9	57	6.6
Kent	144	0	0.0	0	0.0	0	0.0
Queen Anne's	243	33	13.6	7	2.9	26	10.7
Talbot	423	240	56.7	215	50.8	25	5.9
THIRD CIRCUIT	10,609	1,089	10.3	876	8.3	213	2.0
Baltimore	8,501	1,015	11.9	853	10.0	162	1.9
Harford	2,108	74	3.5	23	1.1	51	2.4
FOURTH CIRCUIT	1,884	129	6.8	42	2.2	87	4.6
Allegany	398	24	6.0	6	1.5	18	4.5
Garrett	174	12	6.9	7	4.0	5	2.9
Washington	1,312	93	7.1	29	2.2	64	4.9
FIFTH CIRCUIT	9,528	1,577	16.5	1,439	15.1	138	1.4
Anne Arundel	5,122	899	17.5	795	15.5	104	2.0
Carroll	1,643	66	4.0	59	3.6	7	0.4
Howard	2,763	612	22.2	585	21.2	27	1.0
SIXTH CIRCUIT	5,053	323	6.4	119	2.4	204	4.0
Frederick	1,329	41	3.1	15	1.1	26	2.0
Montgomery	3,724	282	7.6	104	2.8	178	4.8
SEVENTH CIRCUIT	10,550	853	8.1	476	4.5	377	3.6
Calvert	1,491	55	3.7	32	2.2	23	1.5
Charles	1,107	69	6.2	13	1.2	56	5.0
Prince George's	7,068	313	4.4	33	0.5	280	3.9
St. Mary's	884	416	47.0	398	45.0	18	2.0
EIGHTH CIRCUIT	21,637	688	3.2	256	1.2	432	2.0
Baltimore City	21,637	688	3.2	256	1.2	432	2.0
STATE	64,183	5,878	9.1	4,124	6.4	1,754	2.7

NOTE: See note on Table CC-10.

TABLE CC-25
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES TRIED
FISCAL 1987—FISCAL 1991

	1986-87	1987-88	1988-89	1989-90	1990-91
FIRST CIRCUIT	805	689	885	729	800
Dorchester	93	115	195	140	126
Somerset	54	42	137	90	84
Wicomico	187	206	166	203	176
Worcester	471	326	387	296	414
SECOND CIRCUIT	363	224	524	502	419
Caroline	59	40	35	17	46
Cecil	125	112	107	142	100
Kent	9	3	8	3	0
Queen Anne's	3	22	25	24	33
Talbot	167	47	349	316	240
THIRD CIRCUIT	404	413	353	801	1,089
Baltimore	340	313	260	735	1,015
Harford	64	100	93	66	74
FOURTH CIRCUIT	179	183	166	164	129
Allegany	50	47	43	45	24
Garrett	17	4	17	24	12
Washington	112	132	106	95	93
FIFTH CIRCUIT	659	662	1,515	2,313	1,577
Anne Arundel	490	450	855	1,457	899
Carroll	66	119	125	107	66
Howard	103	93	535	749	612
SIXTH CIRCUIT	503	647	510	383	323
Frederick	44	41	55	41	41
Montgomery	459	606	455	342	282
SEVENTH CIRCUIT	268	335	458	989	853
Calvert	24	29	30	32	55
Charles	56	35	63	66	69
Prince George's	178	257	358	352	313
St. Mary's	10	14	7	539	416
EIGHTH CIRCUIT	763	1,167	942	1,743	688
Baltimore City	763	1,167	942	1,743	688
STATE	3,944	4,320	5,353	7,624	5,878
NOTE: See note on Table CC-10.					

TABLE CC-26
CRIMINAL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
FIRST CIRCUIT								
Dorchester	373	144	136	6.7	28.4	50.1	75.1	96.8
Somerset	490	141	114	13.7	45.1	62.9	82.7	95.9
Wicomico	995	91	90	25.7	59.8	80.2	93.2	99.6
Worcester	707	113	109	13.4	47.2	66.8	87.0	99.0
SECOND CIRCUIT								
Caroline	183	153	153	6.0	19.1	39.9	66.7	100.0
Cecil	778	184	175	5.9	9.0	16.3	51.7	97.4
Kent	99	168	158	7.1	14.1	27.3	57.6	96.0
Queen Anne's	162	135	129	12.3	25.9	45.7	72.8	98.1
Talbot	270	132	129	7.8	22.2	48.9	84.9	98.9
THIRD CIRCUIT								
Baltimore	6,218	114	98	27.1	48.8	68.9	87.7	97.9
Harford	1,468	193	135	20.5	32.0	44.3	64.3	87.7
FOURTH CIRCUIT								
Allegany	317	160	143	15.5	23.3	46.4	66.9	96.2
Garrett	144	135	135	13.2	29.9	41.7	74.3	100.0
Washington	1,085	181	164	7.4	13.4	25.3	65.4	94.3
FIFTH CIRCUIT								
Anne Arundel	3,109	173	138	15.3	27.0	40.5	67.4	93.0
Carroll	1,469	148	124	8.4	41.3	57.2	76.3	96.7
Howard	2,074	152	128	4.3	36.6	53.2	76.5	94.3
SIXTH CIRCUIT								
Frederick	1,296	216	169	9.9	17.2	27.9	47.8	85.1
Montgomery	2,708	244	194	19.5	30.8	39.9	56.4	85.2
SEVENTH CIRCUIT								
Calvert	1,221	133	124	17.3	33.3	51.3	79.1	97.8
Charles	949	173	153	7.1	14.3	28.7	67.3	95.7
Prince George's	5,999	149	121	18.3	39.6	54.7	73.8	93.8
St. Mary's	769	192	128	17.4	34.5	47.5	69.8	87.9
EIGHTH CIRCUIT								
Baltimore City	13,193	215	109	29.2	42.3	52.8	68.3	87.2
STATE	46,076	173	120	20.4	37.5	51.6	71.9	92.1

Note: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-27
FIVE-YEAR COMPARATIVE TABLE
JUVENILE CAUSES
FILINGS AND TERMINATIONS
FISCAL 1987—FISCAL 1991

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1986-87		1987-88		1988-89		1989-90		1990-91	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	622	608	576	572	757	708	792	719	763	727
Dorchester	157	146	96	98	151	122	190	189	131	113
Somerset	93	86	87	84	58	48	107	84	84	78
Wicomico	196	187	193	187	302	303	276	256	344	327
Worcester	176	189	210	203	246	235	219	190	204	209
SECOND CIRCUIT	774	757	708	684	924	901	1,265	1,174	1,056	1,029
Caroline	79	79	88	101	102	98	96	80	114	123
Cecil	341	346	302	270	366	379	628	541	474	457
Kent	48	45	47	42	42	39	65	51	55	65
Queen Anne's	127	116	114	117	203	183	213	230	233	215
Talbot	179	171	157	154	211	202	263	272	180	169
THIRD CIRCUIT	4,672	4,499	4,246	4,361	4,330	4,170	4,642	4,232	4,160	4,003
Baltimore	3,975	3,864	3,425	3,372	3,478	3,341	3,862	3,524	3,368	3,261
Harford	697	635	821	989	852	829	780	708	792	742
FOURTH CIRCUIT	999	1,010	1,051	1,034	1,286	1,192	1,151	1,057	1,189	1,112
Allegany	266	295	295	286	313	270	275	271	281	241
Garrett	101	89	146	155	151	156	157	135	143	149
Washington	632	626	610	593	822	766	719	651	765	722
FIFTH CIRCUIT	4,703	4,623	4,191	4,063	4,279	4,024	4,629	4,168	4,543	4,332
Anne Arundel	3,508	3,458	3,036	2,936	3,191	2,881	3,340	3,055	3,309	3,302
Carroll	638	619	610	661	681	591	566	574	549	464
Howard	557	546	545	466	407	552	723	539	685	566
SIXTH CIRCUIT	4,074	3,637	2,976	2,551	3,096	2,507	3,590	3,582	4,581	4,666
Frederick	328	330	332	323	389	324	523	477	607	570
Montgomery*	3,746	3,307	2,644	2,228	2,707	2,183	3,067	3,105	3,974	4,096
SEVENTH CIRCUIT	7,472	7,362	7,897	7,418	8,025	7,902	8,677	8,782	6,761	5,550
Calvert	306	254	314	316	273	285	296	269	405	376
Charles	772	777	716	712	685	639	593	598	616	600
Prince George's	6,149	6,114	6,549	6,156	6,635	6,587	7,415	7,633	5,390	4,270
St. Mary's	245	217	318	234	432	391	373	282	350	304
EIGHTH CIRCUIT	12,869	12,368	13,805	12,909	13,639	12,828	14,919	12,356	13,637	11,200
Baltimore City	12,869	12,368	13,805	12,909	13,639	12,828	14,919	12,356	13,637	11,200
STATE	36,185	34,864	35,450	33,592	36,336	34,232	39,665	36,070	36,690	32,619

*Includes juvenile causes processed at the District Court level.

TABLE CC-28
JUVENILE CAUSES FILED, TERMINATED, AND PENDING
IN THE CIRCUIT COURTS

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	PENDING	Filed	Terminated	PENDING
	Beginning of the Year			End of the Year
FIRST CIRCUIT	189	763	727	225
Dorchester	49	131	113	67
Somerset	7	84	78	13
Wicomico	42	344	327	59
Worcester	91	204	209	86
SECOND CIRCUIT	194	1,056	1,029	221
Caroline	25	114	123	16
Cecil	120	474	457	137
Kent	16	55	65	6
Queen Anne's	8	233	215	26
Talbot	25	180	169	36
THIRD CIRCUIT	976	4,160	4,003	1,133
Baltimore	736	3,368	3,261	843
Harford	240	792	742	290
FOURTH CIRCUIT	179	1,189	1,112	256
Allegany	34	281	241	74
Garrett	28	143	149	22
Washington	117	765	722	160
FIFTH CIRCUIT	982	4,543	4,332	1,193
Anne Arundel	718	3,309	3,302	725
Carroll	98	549	464	183
Howard	166	685	566	285
SIXTH CIRCUIT	2,837	4,581	4,666	2,752
Frederick	146	607	570	183
Montgomery	2,691	3,974	4,096	2,569
SEVENTH CIRCUIT	1,639	6,761	5,550	2,850
Calvert	85	405	376	114
Charles	131	616	600	147
Prince George's	1,216	5,390	4,270	2,336
St. Mary's	207	350	304	253
EIGHTH CIRCUIT	17,655	13,637	11,200	20,092
Baltimore City	17,655	13,637	11,200	20,092
STATE	24,651	36,690	32,619	28,722

NOTE: See note on Table CC-6.

TABLE CC-29
JUVENILE—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:					
		All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	76	67	67	19.7	36.8	93.4	94.7	100.0	100.0
Somerset	48	40	18	75.0	91.7	93.8	95.8	95.8	95.8
Wicomico	236	55	40	46.6	82.2	93.2	94.5	97.0	97.5
Worcester	142	71	56	24.6	69.7	88.7	92.3	96.5	97.9
SECOND CIRCUIT									
Caroline	73	104	52	38.4	58.9	82.2	84.9	87.7	89.0
Cecil	294	97	75	20.7	50.0	78.2	85.0	93.9	94.9
Kent	42	50	50	14.3	69.0	100.0	100.0	100.0	100.0
Queen Anne's	81	48	48	32.1	77.8	96.3	98.8	100.0	100.0
Talbot	62	52	52	17.7	77.4	93.5	100.0	100.0	100.0
THIRD CIRCUIT									
Baltimore	2,182	95	58	24.7	47.4	87.7	92.6	94.6	95.3
Harford	436	65	63	19.5	52.1	93.6	96.6	99.1	100.0
FOURTH CIRCUIT									
Allegany	210	66	62	28.6	58.1	89.0	94.8	98.6	99.5
Garrett	104	41	41	45.2	85.6	97.1	99.0	100.0	100.0
Washington	377	77	58	36.3	62.1	89.1	92.0	97.1	97.6
FIFTH CIRCUIT									
Anne Arundel	1,345	126	89	6.2	23.1	71.4	85.8	90.5	93.9
Carroll	234	72	51	26.9	75.2	91.5	93.6	97.0	97.4
Howard	485	89	61	16.3	57.1	89.5	91.3	94.4	95.7
SIXTH CIRCUIT									
Frederick	418	118	97	12.4	36.4	65.1	76.6	92.3	97.1
Montgomery	1,926	160	107	12.3	22.9	53.4	72.3	87.2	92.8
SEVENTH CIRCUIT									
Calvert	244	110	73	13.5	41.4	81.1	90.2	92.6	93.9
Charles	367	78	76	7.1	29.2	92.4	98.6	99.5	99.5
Prince George's	2,209	103	76	10.7	40.8	84.9	93.0	97.2	98.4
St. Mary's	236	128	72	15.3	37.7	74.2	85.2	86.9	89.4
EIGHTH CIRCUIT									
Baltimore City	9,530	108	77	21.8	47.7	74.2	82.7	92.1	95.4
STATE	21,357	107	76	19.3	44.5	77.0	85.7	93.1	95.7

NOTE: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-30
DELINQUENCY TERMINATIONS BY TYPE OF DISPOSITION
JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Jurisdiction Waived	Dismissed	Stet	Probation	Social Services	Juvenile Services	Hospital Facility	Institutional	Transferred In	Transferred Out	Continued	Other	TOTAL
FIRST CIRCUIT													
Dorchester	20	15	0	12	0	1	0	0	1	0	0	25	74
Somerset	9	6	0	3	2	12	0	0	0	0	0	13	45
Wicomico	32	40	4	78	1	40	0	15	8	2	1	55	276
Worcester	29	39	0	49	10	18	0	3	0	1	7	20	176
SECOND CIRCUIT													
Caroline	1	0	8	26	1	13	0	11	0	1	12	14	87
Cecil	18	85	1	77	2	17	2	7	0	2	0	12	223
Kent	2	25	0	3	0	6	0	1	1	7	0	7	52
Queen Anne's	2	25	0	24	0	11	0	2	7	3	0	95	169
Talbot	4	20	0	38	5	5	1	4	0	0	0	34	111
THIRD CIRCUIT													
Baltimore	61	257	547	728	29	114	4	53	33	25	32	643	2,526
Harford	4	43	1	197	47	1	0	27	7	9	16	54	406
FOURTH CIRCUIT													
Allegany	0	27	1	76	0	7	0	0	1	7	1	11	131
Garrett	6	4	0	24	0	12	0	8	0	0	0	14	68
Washington	40	34	2	181	15	59	4	16	8	5	4	72	440
FIFTH CIRCUIT													
Anne Arundel	15	317	61	747	55	159	4	11	27	75	389	432	2,292
Carroll	0	60	49	125	11	34	0	0	1	6	0	18	304
Howard	18	98	180	122	7	20	1	2	7	4	0	29	488
SIXTH CIRCUIT													
Frederick	21	118	0	175	7	55	0	0	9	18	0	55	458
Montgomery*	38	1,012	1	491	347	191	6	57	0	25	110	956	3,234
SEVENTH CIRCUIT													
Calvert	0	67	17	68	0	6	0	0	0	1	0	92	251
Charles	5	54	19	227	4	33	0	25	5	0	0	98	470
Prince George's	103	526	693	796	16	232	1	118	0	10	0	974	3,469
St. Mary's	0	26	54	40	2	17	0	4	1	13	0	77	234
EIGHTH CIRCUIT													
Baltimore City	385	4,896	0	1,412	10	0	0	0	0	0	0	1,541	8,244
STATE	813	7,794	1,638	5,719	571	1,063	23	364	116	214	572	5,341	24,228

*Juvenile causes for Montgomery County are handled by the District Court.

THE DISTRICT COURT



The District Court

Introduction

The District Court of Maryland was created as the result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969. Operation of the District Court began on July 5, 1971, replacing a miscellaneous system of trial magistrates, people's and municipal courts with a fully State funded court of record possessing statewide jurisdiction.

District Court judges are appointed by the Governor and confirmed by the Senate and are not required to stand for election. The first Chief Judge was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

As of July 1, 1990, there were 97 District Court judgeships, including the Chief Judge. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. A chief clerk of the Court is appointed by the Chief Judge. Administrative clerks for each district are also appointed as are commissioners who perform such duties as issuing arrest warrants and setting bail or collateral.

The District Court has jurisdiction in both the criminal, including motor vehicle, and civil areas. It has jurisdiction over juvenile causes only in Montgomery County. The exclusive jurisdiction

of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of \$2,500, or both; and civil cases involving amounts not exceeding \$2,500. It has concurrent jurisdiction with the circuit courts in civil cases over \$2,500 to, but not exceeding, \$10,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

Motor Vehicle

The number of motor vehicle cases recorded in the District Court of Maryland was on the increase once again. During Fiscal 1991, there were 1,160,473 motor vehicle filings compared to 1,110,597 filings during Fiscal 1990, an increase of 4.5 percent or nearly 50,000 additional filings. Increases in each of the five major jurisdictions contributed to the overall increase in motor vehicle filings. The most significant increase was realized in Prince George's County where a 19.5 percent increase was reported. There were 169,037 filings reported in Fiscal 1990 compared to 201,950 in Fiscal 1991, 32,913 additional filings. Baltimore City followed increasing by 11.6 percent, from 97,262 in Fiscal 1990 to the Fiscal 1991 level of 108,561 filings. Baltimore County, which reported 179,602 motor vehicle filings, increased by 7.5 percent. Anne Arundel and Montgomery Counties also reported increases of

3.4 percent and 2 percent, respectively.

Along with receiving more motor vehicle filings, the District Court also processed more motor vehicle cases. There were 1,028,899 cases processed in Fiscal 1990 compared to 1,058,060 in Fiscal 1991, an increase of 2.8 percent. That increase followed a 6.2 percent increase reported during the previous fiscal year. The 1,058,060 processed cases include 332,152 tried cases which represents an increase of 4.6 percent over the 317,436 tried cases reported in Fiscal 1990. There were also 642,450 paid cases, an increase of 1.4 percent over the previous fiscal year. The most significant increase was realized in the category of "other" dispositions which include jury trial prayers, nolle prosequi, and stet cases. An increase of 7 percent was reported in "other" dispositions, from 78,020 in Fiscal 1990 to the present level of 83,458 cases. The five major jurisdictions processed over 64 percent of the motor vehicle cases (Table DC-4).

Criminal

An overall decrease of less than one percent realized in criminal filings during Fiscal 1991 can be attributed to decreases reported in criminal case filings in both Baltimore City and Anne Arundel County. There were 170,900 total criminal filings reported in Fiscal 1990 compared to 169,520 in Fiscal 1991, a decrease of 0.8 percent. Anne Arundel County reported a decrease of 9.3 percent, from 14,086 filings in Fiscal 1990 to the Fiscal 1991 level of 12,775 filings.

Also decreasing was the number of filings reported in Baltimore City (2.2 percent), from 55,812 in Fiscal 1990 to 54,575 filings in Fiscal 1991. Each of the remaining three major jurisdictions reported increases with the most significant increase occurring in Prince George's County. There were 23,683 criminal filings reported in the aforementioned jurisdiction in Fiscal 1990 compared to the current level of 25,149 filings, an increase of 6.2 percent. Likewise, Montgomery and Baltimore Counties reported increases of 3 percent and 0.6 percent, respectively. Montgomery County reported 14,291 filings, while 18,648 criminal filings were reported in Baltimore County. Collectively, the five major jurisdictions reported 125,438 criminal filings or 74 percent of the total criminal caseload

for Fiscal 1991.

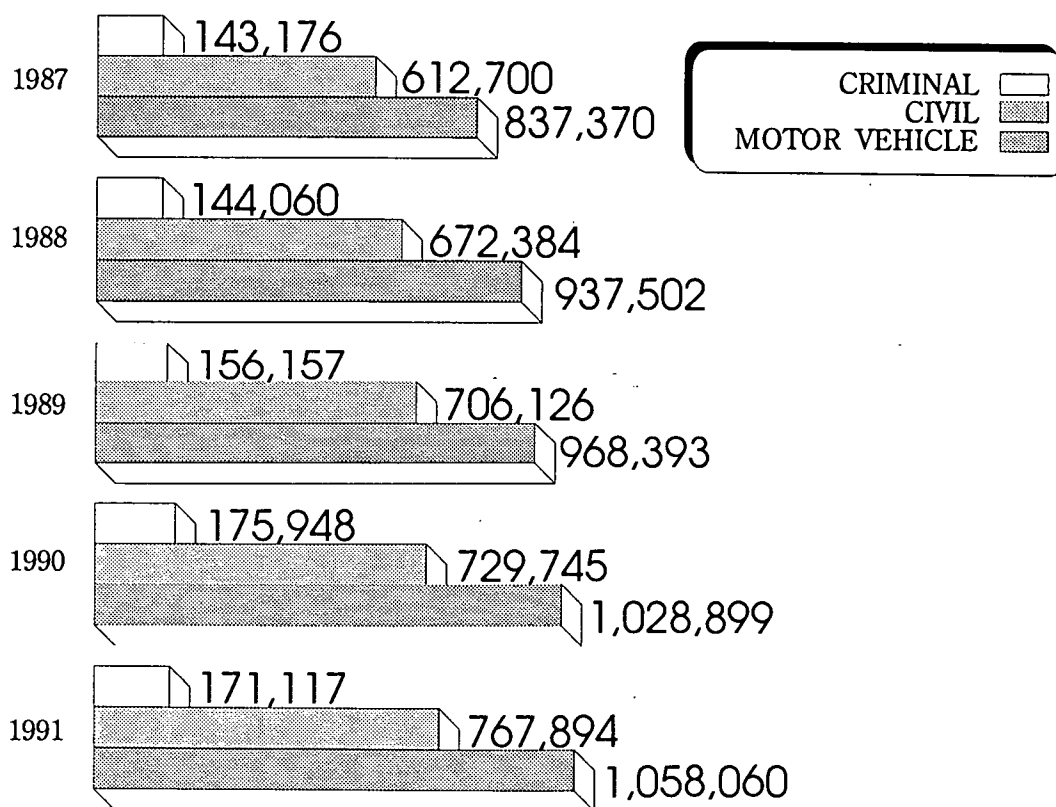
Not unlike filings, criminal dispositions also decreased during the fiscal year by 2.7 percent. That decrease in criminal dispositions comes on the heels of a 12.7 percent increase reported during the previous fiscal year. Decreases were reported in four of the five major jurisdictions. The most significant decrease was realized in Baltimore City where dispositions decreased by 9 percent, from 59,096 in Fiscal 1990 to the Fiscal 1991 level of 53,768 dispositions. Prince George's reported a decrease of 7.4 percent, from 26,937 in Fiscal 1990 to 24,939 criminal dispositions in Fiscal 1991. Baltimore and Anne Arundel Counties also reported decreases of 3 percent and .07 percent, respectively. The only major jurisdiction to report an increase (10 percent) was Mont-

gomery County, from 12,940 in Fiscal 1990 to 14,237 in Fiscal 1991 (Table DC-4).

Civil

During Fiscal 1991, the number of civil cases filed in the District Court increased by 5.2 percent, from 729,745 in Fiscal 1990 to the current level of 767,894 filings (Table DC-9). Remaining relatively consistent with the past several fiscal years, approximately 6.4 percent of the civil cases filed in the District Court were contested. Each of the five major jurisdictions reported increases in civil filings during Fiscal 1991. Anne Arundel County reported the most significant increase (15.9 percent), followed by Montgomery County with an increase of 6.8 percent. Baltimore County increased by 6 percent, while Baltimore City and

TABLE DC-1
DISTRICT COURT - CASELOAD BY FISCAL YEAR



* The total caseload for Fiscal 1991 is 1,997,071.

Prince George's County realized increases of 3.1 percent and 1.2 percent, respectively.

Of the 767,894 civil filings reported 542,238 (70.6 percent) were landlord and tenant cases. Contract and tort cases accounted for 25 percent (192,326) of the civil cases. The remaining 33,330 cases (4.4 percent) were comprised of "other" complaints, including attachments before judgment, confessed judgments, and replevin actions. Approximately 6.2 percent of the landlord and tenant cases were contested, while 8.1 percent of the contract and tort cases were contested (Table DC-4).

The District Court also reported 22,096 special proceedings, including 2,777 emergency hearings, 5,665 domestic abuse cases, and 188 child abuse cases (Table DC-12).

Trends

Fiscal Year 1991 marked the twentieth anniversary of the District Court of Maryland. It also marked the greatest number of filings recorded in the Court's history. There were 2,097,887 total filings reported during Fiscal 1991, an increase of 4.3 percent over the previous fiscal year. While motor vehicle and civil filings have steadily increased during the last seven years, criminal filings decreased slightly for the first time since Fiscal 1984.

Continuing an upward trend, motor vehicle filings and dispositions both increased during Fiscal 1991. The District Court received almost 50,000 additional motor vehicle cases this year and nearly 30,000 more cases were processed. Remaining fairly consistent with past years, more than 28 percent of the motor vehicle cases received were contested, 332,152 out of 1,160,473 cases. Baltimore County

reported the highest contested rate with 40.9 percent, followed by Baltimore City with 39.7 percent of its motor vehicle cases being contested. The rate of contested motor vehicle cases in Anne Arundel County was 39.2 percent, 35,199 out of 89,835 cases. Montgomery and Prince George's Counties reported contested rates of 27.4 percent, and 20.9 percent, respectively. In addition to reporting the highest rate of contested cases, Baltimore County, for the third consecutive year, processed the greatest number of motor vehicle cases with 168,155 cases. Following closely were Montgomery and Prince George's Counties with 163,658 and 163,326 processed motor vehicle cases, respectively. Additionally, Prince George's County continued to report one of the highest percentage increases in motor vehicle filings and dispositions 19.5 percent and 16 percent, respectively (Table DC-4).

For the second consecutive year, driving while intoxicated filings decreased. There were 42,406 DWI filings reported in the District Court during Fiscal 1990 compared to 39,707 in Fiscal 1991, a decrease of 6.4 percent. That figure compares with a 5.1 percent decrease reported in the previous fiscal year. Montgomery County was once again the only major jurisdiction to report an increase in driving while intoxicated cases. The most significant decrease was reported in Prince George's County, 19.9 percent (Table DC-10).

During the past two fiscal years, the number of criminal filings reported by the District Court have leveled off. Attributing to the leveling trend are decreases that have been reported in several of the major jurisdictions. During Fiscal 1990, Prince George's, Montgomery, and Anne Arundel Counties all reported decreases in the number of

criminal cases received. Anne Arundel County and Baltimore City reported decreases of 9.3 percent and 2.2 percent, respectively, for the current fiscal year. However, Baltimore City continues to contribute the greatest number of criminal filings from year-to-year. During Fiscal 1991, Baltimore City accounted for more than 32 percent of the total criminal caseload in the District Court. The remaining four major jurisdictions contributed 41.8 percent of the criminal cases.

Along with motor vehicle filings, civil filings also continued to increase during Fiscal 1991. The number of civil filings reported increased by 5.2 percent in Fiscal 1991. That figure represents a slightly higher increase than the 3.3 percent increase reported during Fiscal 1990. There was only one jurisdiction (Kent County) to report a decrease in civil filings during the current fiscal year. Again this year, the majority of the civil cases filed involved landlord and tenant disputes. Baltimore City and Prince George's County continue to contribute the greatest number of landlord and tenant filings, as well as the greatest number of overall civil filings. Likewise, over 40 percent of all contract and tort cases are filed in those jurisdictions (Table DC-4).

The total number of cases processed in the District Court nearly surpassed the 2 million mark during Fiscal 1991. There were 1,997,071 cases processed during the year. With the volume of cases continuously increasing, the resources of the District Court, both judicial and nonjudicial, will undoubtedly be stretched to their limits. The strain placed on those resources will compel the judiciary to find new and creative means to dispose of an ever-increasing caseload in an effective and efficient manner.

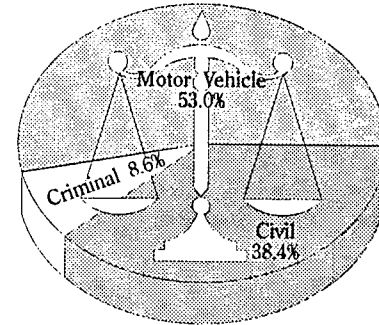
DISTRICT COURT FISCAL YEAR 1991
CASELOAD BREAKDOWN

TABLE DC-2

FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE AND CRIMINAL CASES PROCESSED
AND CIVIL CASES FILED IN THE DISTRICT COURT
OF MARYLAND

FISCAL 1987—FISCAL 1991

	1986-87	1987-88	1988-89	1989-90	1990-91
DISTRICT 1					
Baltimore City	333,834	374,633	388,351	399,437	391,239
DISTRICT 2					
Dorchester	12,436	15,210	16,926	17,975	17,480
Somerset	6,404	9,296	10,490	12,738	13,133
Wicomico	28,109	32,094	33,426	35,522	37,053
Worcester	25,407	28,372	27,965	29,509	27,820
DISTRICT 3					
Caroline	7,329	8,734	8,901	8,966	8,960
Cecil	32,208	37,150	40,049	40,503	42,153
Kent	4,909	4,965	5,551	6,298	6,157
Queen Anne's	8,614	11,031	10,976	12,498	13,052
Talbot	9,716	10,974	12,218	13,297	14,697
DISTRICT 4					
Calvert	11,660	12,681	14,211	18,346	18,328
Charles	20,536	22,414	26,317	25,837	26,100
St. Mary's	13,503	15,406	15,969	17,212	18,722
DISTRICT 5					
Prince George's	289,480	297,303	310,803	335,629	358,221
DISTRICT 6					
Montgomery	208,649	230,000	225,437	237,890	254,374
DISTRICT 7					
Anne Arundel	97,885	111,372	128,460	132,458	142,402
DISTRICT 8					
Baltimore	256,269	275,020	286,069	308,796	324,420
DISTRICT 9					
Harford	44,328	53,188	52,276	55,694	56,161
DISTRICT 10					
Carroll	21,257	23,632	25,884	28,803	29,369
Howard	63,251	69,831	74,096	74,168	72,424
DISTRICT 11					
Frederick	43,305	48,925	52,339	55,634	56,514
Washington	31,786	34,771	35,880	37,102	36,386
DISTRICT 12					
Allegany	14,890	18,048	18,956	21,094	20,886
Garrett	7,481	8,896	9,126	9,186	11,020
STATE	1,593,246	1,753,946	1,830,676	1,934,592	1,997,071

TABLE DC-3
COMPARATIVE TABLE ON CASES FILED OR PROCESSED
IN THE DISTRICT COURT OF MARYLAND
FISCAL 1990—FISCAL 1991

	MOTOR VEHICLE CASES PROCESSED			CRIMINAL CASES PROCESSED			CIVIL CASES FILED		
	1989-90	1990-91	% Change	1989-90	1990-91	% Change	1989-90	1990-91	% Change
DISTRICT 1									
Baltimore City	103,068	92,805	-9.9	59,096	53,768	-9.0	237,273	244,666	3.1
DISTRICT 2									
Dorchester	12,711	12,086	-4.9	1,996	1,792	-10.2	3,268	3,602	10.2
Somerset	10,394	10,478	0.8	882	1,086	23.1	1,462	1,569	7.3
Wicomico	23,808	24,411	2.5	2,729	3,113	14.1	8,985	9,529	6.1
Worcester	23,148	20,869	-9.8	3,338	3,827	14.6	3,023	3,124	3.3
DISTRICT 3									
Caroline	6,201	5,846	-5.7	926	1,014	9.5	1,839	2,100	14.2
Cecil	34,694	35,128	1.3	2,568	2,996	16.7	3,241	4,029	24.3
Kent	3,956	3,916	-1.0	504	537	6.5	1,838	1,704	-7.3
Queen Anne's	10,114	10,236	1.2	710	787	10.8	1,674	2,029	21.2
Talbot	9,895	10,793	9.1	1,160	1,138	-1.9	2,242	2,766	23.4
DISTRICT 4									
Calvert	14,626	14,782	1.1	2,148	1,710	-20.4	1,572	1,836	16.8
Charles	16,224	16,148	-0.5	3,725	3,817	2.5	5,888	6,135	4.2
St. Mary's	10,335	11,144	7.8	2,297	2,118	-7.8	4,580	5,460	19.2
DISTRICT 5									
Prince George's	140,832	163,326	16.0	26,937	24,939	-7.4	167,860	169,956	1.2
DISTRICT 6									
Montgomery	153,308	163,658	6.8	12,940	14,237	10.0	71,642	76,479	6.8
DISTRICT 7									
Anne Arundel	85,254	89,811	5.3	13,181	13,172	-0.1	34,023	39,419	15.9
DISTRICT 8									
Baltimore	159,647	168,155	5.3	20,293	19,680	-3.0	128,856	136,585	6.0
DISTRICT 9									
Harford	41,544	39,910	-3.9	3,361	3,619	7.7	10,789	12,632	17.1
DISTRICT 10									
Carroll	21,890	21,925	0.2	2,697	2,452	-9.1	4,216	4,992	18.4
Howard	55,799	52,261	-6.3	4,305	4,408	2.4	14,064	15,755	12.0
DISTRICT 11									
Frederick	41,821	41,368	-1.1	3,650	3,711	1.7	10,163	11,435	12.5
Washington	25,462	24,197	-5.0	3,632	3,546	-2.4	8,008	8,643	7.9
DISTRICT 12									
Allegany	16,637	15,905	-4.4	2,039	2,516	23.4	2,418	2,465	1.9
Garrett	7,531	8,902	18.2	834	1,134	36.0	821	984	19.9
STATE	1,028,899	1,058,060	2.8	175,948	171,117	-2.7	729,745	767,894	5.2

TABLE DC-4
MOTOR VEHICLE, CRIMINAL, AND CIVIL CASES FILED AND PROCESSED IN THE DISTRICT COURT OF MARYLAND
JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	MOTOR VEHICLE CASES					CRIMINAL CASES		CIVIL CASES							TOTAL CASES FILED
	Cases Filed	Cases Tried	Cases Paid	Other Disposi- tions	Total Cases Pro- cessed	Cases Filed	Cases Pro- cessed	Landlord and Tenant		Contract and Tort		Other Com- plaints Filed	Total		
								Filed	Con- tested	Filed	Con- tested		Filed	Con- tested	
DISTRICT 1 Baltimore City	108,561 108,561	43,116 43,116	44,639 44,639	5,050 5,050	92,805 92,805	54,575 54,575	53,768 53,768	195,986 195,986	16,963 16,963	42,570 42,570	3,474 3,474	6,110 6,110	244,666 244,666	20,437 20,437	407,802 407,802
DISTRICT 2 Dorchester Somerset Wicomico Worcester	71,869 12,861 12,081 27,105 19,822	10,846 2,847 689 3,388 3,922	51,472 8,641 9,233 19,186 14,412	5,526 598 556 1,837 2,535	67,844 12,086 10,478 24,411 20,869	9,145 1,760 1,119 2,765 3,501	9,818 1,792 1,086 3,113 3,827	6,922 731 419 5,146 626	1,175 152 63 846 114	9,268 2,433 959 3,814 2,062	952 167 193 315 277	1,634 438 191 569 436	17,824 3,602 1,569 9,529 3,124	2,127 319 256 1,161 391	98,838 18,223 14,769 39,399 26,447
DISTRICT 3 Caroline Cecil Kent Queen Anne's Talbot	71,118 6,094 38,534 4,148 10,553 11,789	13,461 1,443 6,267 640 2,344 2,767	47,623 4,074 26,061 3,037 7,012 7,439	4,835 329 2,800 239 880 587	65,919 5,846 35,128 3,916 10,236 10,793	6,267 1,047 2,745 475 860 1,140	6,472 1,014 2,996 537 787 1,138	3,032 396 1,407 186 347 696	564 76 237 44 59 148	8,379 1,487 2,230 1,286 1,498 1,878	569 57 272 41 98 101	1,217 217 392 232 184 192	12,628 2,100 4,029 1,704 2,029 2,766	1,133 133 509 85 157 249	90,013 9,241 45,308 6,327 13,442 15,695
DISTRICT 4 Calvert Charles St. Mary's	43,718 14,955 17,057 11,706	11,366 5,102 4,568 1,696	23,345 7,617 9,358 6,370	7,363 2,063 2,222 3,078	42,074 14,782 16,148 11,144	7,987 1,694 4,074 2,219	7,645 1,710 3,817 2,118	5,312 307 2,251 2,754	528 54 226 248	6,541 1,327 3,133 2,081	532 77 216 239	1,578 202 751 625	13,431 1,836 6,135 5,460	1,060 131 442 487	65,136 18,485 27,266 19,385
DISTRICT 5 Prince George's	201,950 201,950	42,241 42,241	105,386 105,386	15,699 15,699	163,326 163,326	25,149 25,149	24,939 24,939	127,455 127,455	7,347 7,347	36,247 36,247	1,220 1,220	6,254 6,254	169,956 169,956	8,567 8,567	397,055 397,055
DISTRICT 6 Montgomery	177,993 177,993	48,746 48,746	104,313 104,313	10,599 10,599	163,658 163,658	14,291 14,291	14,237 14,237	47,067 47,067	2,380 2,380	25,070 25,070	2,500 2,500	4,342 4,342	76,479 75,479	4,880 4,880	268,763 268,763
DISTRICT 7 Anne Arundel	89,835 89,835	35,199 35,199	43,516 43,516	11,096 11,096	89,811 89,811	12,775 12,775	13,172 13,172	23,901 23,901	737 737	12,967 12,967	1,052 1,052	2,551 2,551	39,419 39,419	1,789 1,789	142,029 142,029
DISTRICT 8 Baltimore	179,602 179,602	73,479 73,479	87,293 87,293	7,383 7,383	168,155 168,155	18,648 18,648	19,680 19,680	104,959 104,959	1,854 1,854	26,447 26,447	3,200 3,200	5,179 5,179	136,585 136,585	5,054 5,054	334,835 334,835
DISTRICT 9 Harford	42,634 42,634	12,037 12,037	25,878 25,878	1,995 1,995	39,910 39,910	3,372 3,372	3,619 3,619	7,293 7,293	490 490	4,472 4,472	502 502	867 867	12,632 12,632	992 992	58,638 58,638
DISTRICT 10 Carroll Howard	76,801 23,358 53,443	22,990 6,870 16,120	45,104 13,103 32,001	6,092 1,952 4,140	74,186 21,925 52,261	6,292 2,179 4,113	6,860 2,452 4,408	12,076 1,575 10,501	374 106 268	7,268 2,771 4,497	734 135 599	1,403 646 757	20,747 4,992 15,755	1,108 241 867	103,840 30,529 73,311
DISTRICT 11 Frederick Washington	70,489 45,737 24,752	13,425 9,097 4,328	45,973 28,694 17,279	6,167 3,577 2,590	65,565 41,368 24,197	7,123 3,733 3,390	7,257 3,711 3,546	7,579 4,284 3,295	706 318 388	10,669 6,167 4,502	628 404 224	1,830 984 846	20,078 11,435 8,643	1,334 722 612	97,690 60,905 36,785
DISTRICT 12 Allegany Garrett	25,903 16,070 9,833	5,246 3,642 1,604	17,908 11,032 6,876	1,653 1,231 422	24,807 15,905 8,902	3,896 2,907 989	3,650 2,516 1,134	656 560 96	277 267 10	2,428 1,659 769	230 169 61	365 246 119	3,449 2,465 984	507 436 71	33,248 21,442 11,806
STATE	1,160,473	332,152	642,450	83,458	1,058,060	169,520	171,117	542,238	33,395	192,326	15,593	33,330	767,894	48,988	2,097,887

TABLE DC-5
POPULATION AND CASELOAD PER DISTRICT COURT JUDGE^a
AS OF JUNE 30, 1991

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Number of Judges	Population Per Judge ^b	CASES FILED OR PROCESSED PER JUDGE			
			Civil	Motor Vehicle	Criminal	Total
DISTRICT 1						
Baltimore City	23	32,087	10,638	4,035	2,338	17,011
DISTRICT 2						
Dorchester	1	30,300	3,602	12,086	1,792	17,480
Somerset	1	20,200	1,569	10,478	1,086	13,133
Wicomico	2	37,850	4,765	12,206	1,557	18,528
Worcester	1	41,200	3,124	20,869	3,827	27,820
DISTRICT 3						
Caroline	1	26,300	2,100	5,846	1,014	8,960
Cecil	2	37,800	2,015	17,564	1,498	21,077
Kent	1	17,300	1,704	3,916	537	6,157
Queen Anne's	1	35,100	2,029	10,236	787	13,052
Talbot	1	28,900	2,766	10,793	1,138	14,697
DISTRICT 4						
Calvert	1	54,800	1,836	14,782	1,710	18,328
Charles	2	53,400	3,068	8,074	1,909	13,051
St. Mary's	1	77,000	5,460	11,144	2,118	18,722
DISTRICT 5						
Prince George's	11	64,355	15,451	14,848	2,267	32,566
DISTRICT 6						
Montgomery	9 ^c	86,067	8,498	18,184	1,582	28,264
DISTRICT 7						
Anne Arundel	7	63,057	5,631	12,830	1,882	20,343
DISTRICT 8						
Baltimore	12	57,425	11,382	14,013	1,640	27,035
DISTRICT 9						
Harford	4	44,875	3,158	9,978	905	14,041
DISTRICT 10						
Carroll	2	65,000	2,496	10,963	1,226	14,685
Howard	4	46,575	3,939	13,065	1,102	18,106
DISTRICT 11						
Frederick	2	76,350	5,718	20,684	1,856	28,258
Washington	2	60,300	4,322	12,099	1,773	18,194
DISTRICT 12						
Allegany	2	35,900	1,233	7,953	1,258	10,444
Garrett	1	26,400	984	8,902	1,134	11,020
STATE	94	51,144	8,169	11,256	1,820	21,245

^aChief Judge of District Court not included in statistics. Number of judges as of June 30, 1991.

^bPopulation estimate for July 1, 1991, issued by the Maryland Center for Health Statistics.

^cTwo Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-6
CASES FILED OR PROCESSED IN THE DISTRICT COURT OF MARYLAND
PER THOUSAND POPULATION

JULY 1, 1990—JUNE 30, 1991
FISCAL 1991

	Population*	Civil Filed	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1					
Baltimore City	738,000	332	126	73	531
DISTRICT 2					
Dorchester	30,300	119	399	59	577
Somerset	20,200	78	518	54	650
Wicomico	75,700	126	322	41	489
Worcester	41,200	76	507	93	676
DISTRICT 3					
Caroline	26,300	80	222	39	341
Cecil	75,600	53	465	40	558
Kent	17,300	98	226	31	355
Queen Anne's	35,100	58	292	22	372
Talbot	28,900	96	373	39	508
DISTRICT 4					
Calvert	54,800	34	270	31	335
Charles	106,800	57	151	36	244
St. Mary's	77,000	71	145	28	244
DISTRICT 5					
Prince George's	707,900	240	231	35	506
DISTRICT 6					
Montgomery	774,600	99	211	18	328
DISTRICT 7					
Anne Arundel	441,400	89	203	30	322
DISTRICT 8					
Baltimore	689,100	198	244	29	471
DISTRICT 9					
Harford	179,500	70	222	20	312
DISTRICT 10					
Carroll	130,000	38	169	19	226
Howard	186,300	85	281	24	390
DISTRICT 11					
Frederick	152,700	75	271	24	370
Washington	120,600	72	201	29	302
DISTRICT 12					
Allegany	71,800	34	222	35	291
Garrett	26,400	37	337	43	417
STATE	4,807,500	160	220	36	416

*Population estimate for July 1, 1991, issued by the Maryland Center for Health Statistics.

TABLE DC-7
FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE CASES PROCESSED
BY THE DISTRICT COURT OF MARYLAND
FISCAL 1987—FISCAL 1991

	1986-87	1987-88	1988-89	1989-90	1990-91
DISTRICT 1					
Baltimore City	70,816	85,702	99,416	103,068	92,805
DISTRICT 2					
Dorchester	9,007	11,567	12,398	12,711	12,086
Somerset	4,897	7,675	8,492	10,394	10,478
Wicomico	18,045	20,730	21,955	23,808	24,411
Worcester	19,769	22,712	21,762	23,148	20,869
DISTRICT 3					
Caroline	5,256	6,469	6,411	6,201	5,846
Cecil	27,080	31,434	34,886	34,694	35,128
Kent	2,986	2,897	3,608	3,956	3,916
Queen Anne's	6,634	9,058	8,840	10,114	10,236
Talbot	7,545	8,484	9,101	9,895	10,793
DISTRICT 4					
Calvert	8,826	10,029	10,686	14,626	14,782
Charles	13,715	14,754	16,765	16,224	16,148
St. Mary's	9,440	10,555	10,026	10,335	11,144
DISTRICT 5					
Prince George's	121,690	126,164	126,732	140,832	163,326
DISTRICT 6					
Montgomery	143,200	157,619	142,684	153,308	163,658
DISTRICT 7					
Anne Arundel	55,815	65,283	80,628	85,254	89,811
DISTRICT 8					
Baltimore	141,929	150,071	150,863	159,647	168,155
DISTRICT 9					
Harford	31,771	39,363	39,571	41,544	39,910
DISTRICT 10					
Carroll	15,928	17,197	19,126	21,890	21,925
Howard	49,414	54,753	56,895	55,799	52,261
DISTRICT 11					
Frederick	34,752	38,612	39,713	41,821	41,368
Washington	21,867	24,884	25,809	25,462	24,197
DISTRICT 12					
Allegany	11,004	14,230	14,764	16,637	15,905
Garrett	5,984	7,260	7,262	7,531	8,902
STATE	837,370	937,502	968,393	1,028,899	1,058,060

TABLE DC-8
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED
PROCESSED IN THE DISTRICT COURT OF MARYLAND
FISCAL 1987—FISCAL 1991

	1986-87	1987-88	1988-89	1989-90	1990-91
DISTRICT 1					
Baltimore City	52,619	51,414	54,920	59,096	53,768
DISTRICT 2					
Dorchester	1,118	1,347	1,599	1,996	1,792
Somerset	601	620	733	882	1,086
Wicomico	1,976	2,474	2,674	2,729	3,113
Worcester	3,224	2,955	3,209	3,338	3,827
DISTRICT 3					
Caroline	921	894	812	926	1,014
Cecil	2,122	2,482	2,122	2,568	2,996
Kent	512	573	470	504	537
Queen Anne's	580	566	591	710	787
Talbot	921	987	918	1,160	1,138
DISTRICT 4					
Calvert	1,140	1,100	1,521	2,148	1,710
Charles	2,543	2,726	3,632	3,725	3,817
St. Mary's	1,385	1,608	2,008	2,297	2,118
DISTRICT 5					
Prince George's	19,534	18,056	20,642	26,937	24,939
DISTRICT 6					
Montgomery	9,507	10,639	11,904	12,940	14,237
DISTRICT 7					
Anne Arundel	10,875	10,587	10,694	13,181	13,172
DISTRICT 8					
Baltimore	17,199	18,296	18,773	20,293	19,680
DISTRICT 9					
Harford	2,892	2,915	2,847	3,361	3,619
DISTRICT 10					
Carroll	2,021	2,400	2,461	2,697	2,452
Howard	3,338	3,192	3,871	4,305	4,408
DISTRICT 11					
Frederick	2,500	2,618	3,355	3,650	3,711
Washington	3,055	2,982	3,323	3,632	3,546
DISTRICT 12					
Allegany	1,903	1,871	2,059	2,039	2,516
Garrett	690	758	1,029	834	1,134
STATE	143,176	144,060	156,157	175,948	171,117

TABLE DC-9
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES FILED
IN THE DISTRICT COURT OF MARYLAND
FISCAL 1987—FISCAL 1991

	1986-87	1987-88	1988-89	1989-90	1990-91
DISTRICT 1					
Baltimore City	210,399	237,517	234,015	237,273	244,666
DISTRICT 2					
Dorchester	2,311	2,296	2,929	3,268	3,602
Somerset	906	1,001	1,265	1,462	1,569
Wicomico	8,088	8,890	8,797	8,985	9,529
Worcester	2,414	2,705	2,994	3,023	3,124
DISTRICT 3					
Caroline	1,152	1,371	1,678	1,839	2,100
Cecil	3,006	3,234	3,051	3,241	4,029
Kent	1,411	1,495	1,473	1,838	1,704
Queen Anne's	1,400	1,407	1,545	1,674	2,029
Talbot	1,250	1,503	2,199	2,242	2,766
DISTRICT 4					
Calvert	1,694	1,552	2,004	1,572	1,836
Charles	4,278	4,934	5,920	5,888	6,135
St. Mary's	2,678	3,243	3,935	4,580	5,460
DISTRICT 5					
Prince George's	148,256	153,083	163,429	167,860	169,956
DISTRICT 6					
Montgomery	55,942	61,742	70,849	71,642	76,479
DISTRICT 7					
Anne Arundel	31,195	35,502	37,138	34,023	39,419
DISTRICT 8					
Baltimore	97,141	106,653	116,433	128,856	136,585
DISTRICT 9					
Harford	9,665	10,910	9,858	10,789	12,632
DISTRICT 10					
Carroll	3,308	4,035	4,297	4,216	4,992
Howard	10,499	11,886	13,330	14,064	15,755
DISTRICT 11					
Frederick	6,053	7,695	9,271	10,163	11,435
Washington	6,864	6,905	6,748	8,008	8,643
DISTRICT 12					
Allegany	1,983	1,947	2,133	2,418	2,465
Garrett	807	878	835	821	984
STATE	612,700	672,384	706,126	729,745	767,894

TABLE DC-10
FIVE-YEAR COMPARATIVE TABLE
DRIVING WHILE INTOXICATED CASES RECEIVED BY
THE DISTRICT COURT OF MARYLAND
FISCAL 1987—FISCAL 1991

	1986-87	1987-88	1988-89	1989-90	1990-91	% Change
DISTRICT 1						
Baltimore City	2,825	2,947	3,048	2,527	2,134	-15.6
DISTRICT 2						
Dorchester	405	357	342	356	353	-0.8
Somerset	162	277	290	298	300	0.7
Wicomico	522	642	716	793	673	-15.1
Worcester	908	813	893	957	862	-9.9
DISTRICT 3						
Caroline	194	229	272	218	202	-7.3
Cecil	802	854	1,051	1,217	1,098	-9.8
Kent	213	217	190	166	140	-15.7
Queen Anne's	278	304	330	306	342	11.8
Talbot	306	322	338	357	435	21.8
DISTRICT 4						
Calvert	766	825	984	1,120	1,190	6.3
Charles	822	1,242	1,181	1,113	899	-19.2
St. Mary's	488	682	604	579	926	59.9
DISTRICT 5						
Prince George's	6,466	6,647	6,860	6,041	4,836	-19.9
DISTRICT 6						
Montgomery	5,117	5,674	5,692	6,179	6,558	6.1
DISTRICT 7						
Anne Arundel	5,453	7,219	7,710	6,877	6,169	-10.3
DISTRICT 8						
Baltimore	4,287	4,645	4,926	4,560	4,093	-10.2
DISTRICT 9						
Harford	1,283	1,511	1,579	1,477	1,550	4.9
DISTRICT 10						
Carroll	536	739	714	920	956	3.9
Howard	2,114	2,767	3,062	2,493	2,341	-6.1
DISTRICT 11						
Frederick	1,266	1,525	1,752	1,555	1,572	1.1
Washington	922	1,002	1,209	1,317	1,149	-12.8
DISTRICT 12						
Allegany	467	522	530	574	612	6.6
Garrett	230	405	393	406	317	-21.9
STATE	36,832	42,367	44,666	42,406	39,707	-6.4

TABLE DC-11
DRIVING WHILE INTOXICATED DISPOSITIONS
FISCAL 1991

	Guilty	Not Guilty	Probation Before Judgment	Nolle Prossed	Stet	Merged	Jury Trial Prayers	Total Dispositions
DISTRICT 1								
Baltimore City	828	99	793	98	154	3	131	2,106
DISTRICT 2								
Dorchester	301	12	27	20	0	0	35	395
Somerset	139	6	2	35	2	0	111	295
Wicomico	424	31	163	78	17	0	99	812
Worcester	432	22	77	178	19	2	172	902
DISTRICT 3								
Caroline	180	3	14	12	5	0	13	227
Cecil	649	7	156	52	41	0	276	1,181
Kent	97	4	35	10	2	0	15	163
Queen Anne's	280	17	26	54	2	0	22	401
Talbot	321	15	40	33	4	0	27	440
DISTRICT 4								
Calvert	363	16	324	71	31	0	347	1,152
Charles	675	14	259	72	13	0	74	1,107
St. Mary's	281	18	41	134	9	3	283	769
DISTRICT 5								
Prince George's	666	155	1,322	1,534	172	22	973	4,844
DISTRICT 6								
Montgomery	1,598	139	3,138	654	14	0	413	5,956
DISTRICT 7								
Anne Arundel	1,095	802	1,626	1,659	401	529	767	6,879
DISTRICT 8								
Baltimore	1,268	170	2,230	201	50	0	546	4,465
DISTRICT 9								
Harford	462	19	747	58	38	1	404	1,729
DISTRICT 10								
Carroll	189	32	202	26	7	0	575	1,031
Howard	705	87	859	209	108	133	665	2,766
DISTRICT 11								
Frederick	874	9	631	68	18	0	281	1,881
Washington	840	18	331	41	14	0	153	1,397
DISTRICT 12								
Allegany	542	10	106	31	8	0	31	728
Garrett	283	2	64	8	0	1	20	378
STATE	13,492	1,707	13,213	5,336	1,129	694	6,433	42,004

TABLE DC-12
FIVE-YEAR COMPARATIVE TABLE
EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS
HELD IN THE DISTRICT COURT OF MARYLAND
FISCAL 1987—FISCAL 1991

	EMERGENCY HEARINGS					DOMESTIC ABUSE				
	1986-87	1987-88	1988-89	1989-90	1990-91	1986-87	1987-88	1988-89	1989-90	1990-91
DISTRICT 1 Baltimore City	400	550	815	828	880	1,848	1,742	2,027	2,120	2,098
DISTRICT 2 Dorchester	20	20	22	23	20	21	20	29	31	35
Somerset	20	10	13	12	4	20	7	19	15	28
Wicomico	47	58	65	69	42	99	75	89	114	100
Worcester	34	37	32	17	18	24	32	31	37	31
DISTRICT 3 Caroline	7	3	3	4	4	18	27	15	21	23
Cecil	42	31	29	26	39	68	86	69	84	119
Kent	8	15	17	13	20	6	9	11	16	13
Queen Anne's	7	3	9	12	8	27	19	24	17	26
Talbot	8	20	16	13	7	7	14	22	18	18
DISTRICT 4 Calvert	19	7	1	1	4	11	26	15	24	20
Charles	22	27	34	37	39	3	11	23	58	59
St. Mary's	49	49	65	75	35	50	67	74	44	51
DISTRICT 5 Prince George's	547	546	430	454	420	496	614	673	782	692
DISTRICT 6 Montgomery	302	145	265	336	406	304	344	405	456	488
DISTRICT 7 Anne Arundel	233	274	199	223	175	326	387	300	393	330
DISTRICT 8 Baltimore	371	391	331	383	420	579	656	623	777	810
DISTRICT 9 Harford	28	14	6	18	20	28	15	4	62	55
DISTRICT 10 Carroll	25	34	16	42	20	37	53	49	53	55
Howard	38	34	35	57	73	97	85	95	110	118
DISTRICT 11 Frederick	42	48	35	35	46	113	84	85	147	151
Washington	18	16	24	24	31	102	97	114	129	164
DISTRICT 12 Allegany	33	35	53	34	33	88	111	116	119	103
Garrett	11	12	20	11	13	48	80	66	83	78
STATE	2,331	2,379	2,535	2,747	2,777	4,420	4,661	4,978	5,710	5,665

JUDICIAL ADMINISTRATION

Judicial Administration

Administrative Office of the Courts

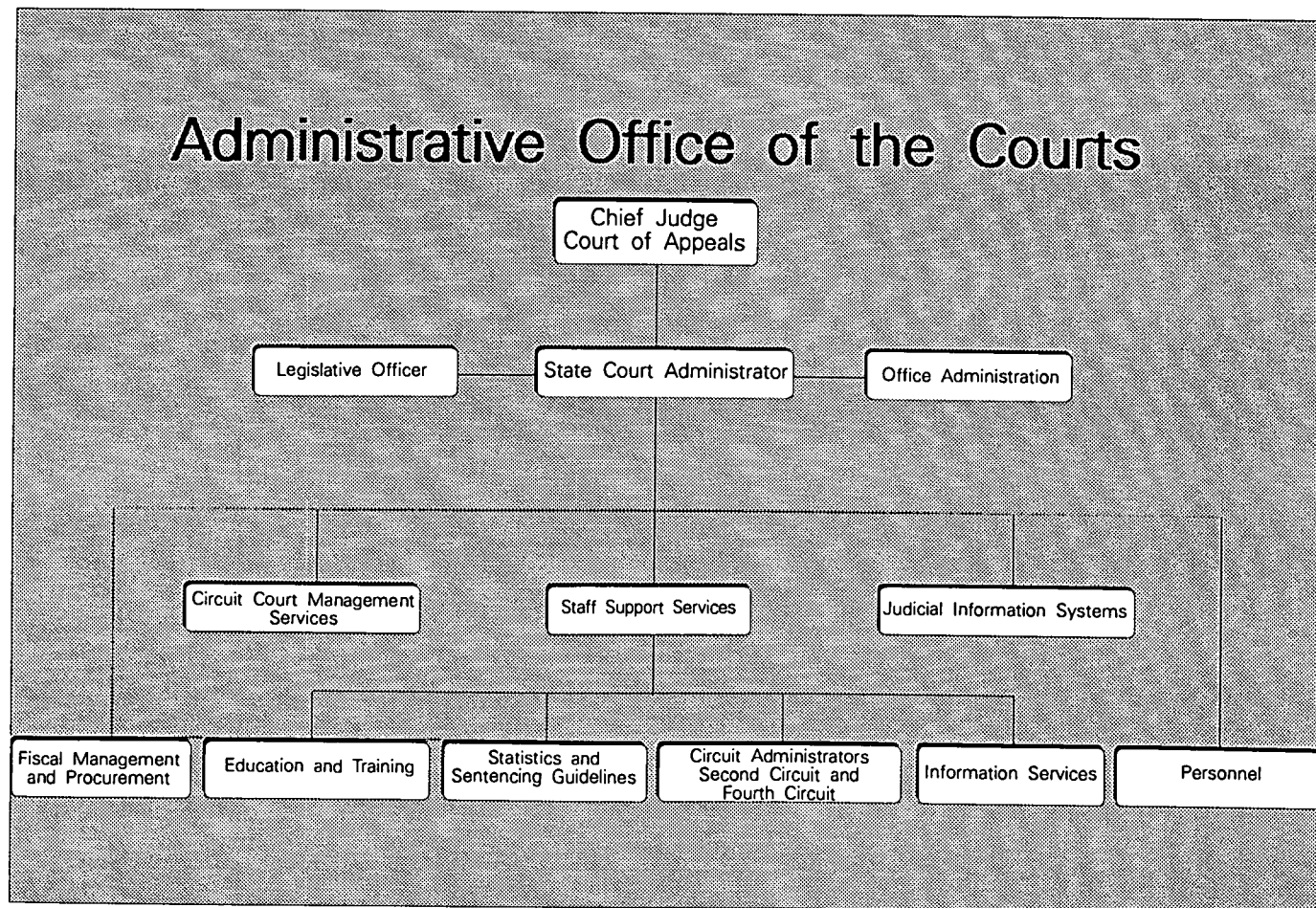
The administrative head of the judicial system of the State is the Chief Judge of the Court of Appeals according to Article IV, §18(b) of the Maryland Constitution.

The Maryland Legislature provided the staff necessary to assist the Chief Judge with his administrative responsibilities by enacting §13-101 of the Courts and Judicial Proceedings Article thirty-six years ago. This statute established the Administrative Office of the Courts under the direction of the State

Court Administrator, who is appointed and serves at the pleasure of the Chief Judge. The State Court Administrator and the Administrative Office provide the Chief Judge with advice, information, facilities, and staff. The administrative responsibilities include personnel administration, preparation and administration of the judiciary budget, liaison with legislative and executive branches, planning and research, education of judges and court support personnel. Staff support is supplied to the Maryland Judicial Conference, the Conference of Circuit Judges, the Judicial Institute of Maryland, and the Select

Committee on Gender Equality. In addition, the Administrative Office serves as secretariat to the Appellate and Trial Court Judicial Nominating Commissions. Personnel are also responsible for the complex operation of data processing systems, collection and analysis of statistics, and other management information. The office also assists the Chief Judge in the assignment of judges to cope with case backlogs.

During the last twelve months, units in the Administrative Office of the Courts worked on many projects.



Education and Training

Continuing Judicial Education. The Judicial Institute of Maryland celebrates its tenth year of operation in 1991. During the past decade there has been a gradual evolvement into a nationally recognized professional system for providing education to Maryland's trial and appellate benches.

The Board of Directors oversaw major changes in the way continuing judicial education is delivered. Notably, many Judicial Institute instructors have taken instructor development training to incorporate adult education techniques into their lesson plans. Also, courses have expanded in scope and variety and now include juvenile and equity masters. The way in which the Judicial Institute prepares new judges for their judicial responsibilities has developed into a system that provides more information sooner in a judge's career. Seven interstate conferences have provided an additional perspective of how neighboring states handle cases. Video productions not only supplement an instructor's repertoire of methods but also allow that program's viewing by judges not registered for a course.

Two hundred and six judges have selected from among 20 course offerings during the 1991 program year. New courses were planned on settlement, evidence, sentencing, search and seizure, injunctions, drug issues, media relations, legal history, and business torts. One hundred thirty-five instructors from the bench, legal practice, universities, and other professions taught on these faculties.

A week of intensive study and discussion for 18 newly-appointed trial judges and nine judges, who had been elevated from the District to the circuit court, was held during May in Annapolis. This seminar built upon the knowledge and skills

gained during the individual judge's on-the-bench orientation immediately after swearing-in.

A proposal for amending the orientation procedures has been recommended by the Board to Chief Judge Murphy. If adopted, a new orientation system will become effective January 1, 1992.

Seventeen trial judges and juvenile masters participated in an interstate conference on the effects of drugs on the family April 11-13, 1991 in New Jersey. Judges from Connecticut, Delaware, New Jersey, Virginia, and West Virginia joined the Maryland contingency. Maryland travel was supported by a grant from the Governor's Office of Justice Assistance.

A continuation grant from the State Justice Institute funded a second juvenile workshop, *Building Effective Responses Together, II*, on February 18 and 19, 1991. Juvenile judges, masters, representatives of the Department of Juvenile Services, and other executive department personnel developed action plans to implement the recommendations of the November 1989 workshop. This program was co-sponsored by the National Council of Juvenile and Family Court Judges.

Finally, 26 judges took advantage of a specially scheduled course on *Handling the Capital Case* on June 27, 1991. Chief Judge Murphy is requiring all judges who hear death penalty cases to take this class.

Court Support Education. The second decade of the Judicial Institute also heralds an exploration into new frontiers. Employees of the circuit court clerks' offices became part of the state court system on January 1, 1991. As of that date also, the Administrative Office of the Courts will be providing education and training.

In anticipation of this move, staff conducted a training needs as-

essment in all the clerks' offices. Results of that survey indicate that supervisory training, management skills, and new employee orientation are critical. During the summer of 1991 programs were developed in consultation with a training advisory committee. Also, State Justice Institute funding is being sought to support the development of other educational technologies beyond classroom instruction.

Educational Technology. The Administrative Office of the Courts continues to move ahead in the development of media support for professional education and public information uses. A State Justice Institute grant has been developed to support the development of an interactive laser disc program on supervisory skills and a new employee orientation videotape. These products will build upon a growing library of court support material for use in training programs.

An updated *Educational Resource Guide* was distributed to all judges in the Spring of 1991. That guide describes the 319 videotape, 88 audiotape, and 103 written entries available in the lending library.

Finally, the media specialist was involved in two joint projects under the auspices of the Select Committee on Gender Equality. First, staff produced a videotape, *"In Her Own Image"*, and co-authored its curriculum guide. Second, the staff worked with members of the Women's Bar Association to produce a videotape for use in law offices to raise the awareness of how gender issues may affect law office management.

For the future, employees are planning to produce videotaped mock trials and proceedings for the new trial judge orientation program. These simulations will demonstrate a proceeding which is not on the mentor judge's docket during the orientation period.

Judicial Information Systems

Judicial Information Systems (JIS) is responsible for the administration and operation of the Judicial Data Center (JDC) and automated data systems for the Maryland Judiciary.

The District Court-criminal scanner or barcode system automated three manual functions, consisting of commissioners, accounts receivable and adjudication information. In Fiscal 1991, the system was implemented in all but two jurisdictions. Completion of the remaining two counties, Prince George's and Montgomery, is expected during Fiscal 1992. The courtroom segment of this project will be piloted in the first quarter of Fiscal 1992, followed by full statewide implementation. Utilizing the barcode scheme is the backbone for integration of systems within the Maryland Judiciary.

Implementation of the District Court civil system in Fiscal 1991 provided timely information on judicial case workloads; enhanced case management and case tracking functions; reduced court delay of civil case processing; and served to ease a labor-intensive manual process.

A joint effort, consisting of JIS staff and an analyst provided by the Juvenile Justice Section of the American Bar Association, was initiated to analyze, design and implement a new juvenile automated system for Baltimore City. In addition to analysis and technical support, this project will also encompass implementation of state-of-the-art hardware and software technology. The system, when implemented, will eliminate current processing problems and improve court efficiency. Analysis also began on an automated paternity and criminal nonsupport system including data base structure, screens and

data entry requirements, along with forms and report formats. An automated transfer system started allowing information transfer from the District Courts to the circuit courts. This should eliminate a time consuming and resource intensive operation.

In March of 1991, the circuit court automation project was transferred to the purview of JIS. The two pilot counties, Anne Arundel and Carroll, basically have case management and land records running productively on IBM AS/400 Systems. Analysis has been started to determine the best methodology to enhance this system and extend an automated process to the remaining jurisdictions. This project will have significant impact upon telecommunications and the judicial computer system by trafficking all transactions through a central facility. Networking requirements are being analyzed to provide effective response capabilities. Also being addressed in the offices of the clerks' of the circuit courts are LANS and office automation capabilities.

Work continued on the automated system that allows dial-up attorney access to certain information maintained on-line for cases in the District Court and the Eighth Judicial Circuit. Major technical issues, access security, and procedural methodologies have been resolved. A statewide 800 network was implemented in Fiscal 1991. This network is now available for access by all interested parties through procedures implemented by JIS.

Increased demands for remote access to JDC necessitated further enhancements to the telecommunications network managed by JIS. Office automation capabilities in the form of standard word processing (WordPerfect, E-Mail, Automated Calendaring) systems and standard hardware, along with en-

hanced LAN networks provide technological advancements for judiciary units.

Fiscal Management and Procurement

The Fiscal Management Unit prepares and monitors the annual Maryland Judiciary budget, excluding the District Court of Maryland. All accounts payable for the judiciary are processed through this office. Accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Department of the State Comptroller's Office. Payroll activities and the working fund account are also the responsibility of the Fiscal Management staff. Records are maintained in order for the legislative auditor to perform audits on the fiscal activities of the judiciary.

With the acquisition of the circuit court clerks' offices, all accounting functions that were performed by the individual clerks offices will now be handled by the staff of this section. This includes payroll preparation, invoice processing, revenue reporting, and all general accounting.

General supplies and equipment are purchased by this office. The staff also prepare and solicit competitive bids on equipment, furniture, and supplies. This section, along with the Department of General Services, ensures that the Courts of Appeal Building is maintained.

An automated inventory control system was established in 1987 for all furniture and equipment used by the Maryland Judiciary. This system uses a bar code attached to all equipment and furniture. Inventory is completed with a scanning device which automatically counts the items producing financial totals that are required by the State Comptroller's Office.

Other responsibilities include maintaining lease agreements for all leased property; monitoring the safety and maintenance records of the judiciary automobile fleet; and performing assignments as directed by the Chief Judge of the Court of Appeals.

Personnel Services

The Judicial Personnel Unit continues its efforts to provide both management and employees with an efficient, service oriented personnel system. Procedures and policies continue to be refined and improved.

As a result of a constitutional amendment, the circuit court clerks' offices now come under the domain of the Administrative Office of the Courts. A new personnel system is currently being designed. The system will be based on merit principles and allow for consistency and fairness in all hiring, employee relations, and salary administration activities for the 24 circuit court clerks' offices statewide.

Information Services

The Information Services unit is primarily responsible for publications in the Administrative Office of the Courts. The publications include the *Annual Report of the Maryland Judiciary*, the *Compilation of Administrative Materials for Judges* and the *Policy and Procedures Manual*.

Staffing for the Public Awareness Committee of the Maryland Judicial Conference and the Select Committee on Gender Equality is coordinated here. The Public Awareness Committee focused its efforts in two areas this year. It continued to co-sponsor the annual high school mock trial competition in Maryland with the Law-Related Education Program and the Maryland State Bar Association. The Honorable Robert L. Karwacki presided over the state finals which

were held in the Court of Appeals on May 10, 1991. Westmar High School from Allegany County and Towson High School from Baltimore County were the finalist teams. Westmar High School won this year's competition. All 23 counties and Baltimore City entered 115 teams in the annual mock trial contest. The proceedings were heard by 38 judges and numerous attorneys who volunteered their time to work with the students.

The Public Awareness Committee implemented a "Meet Your Judges" forum which was endorsed by the American Bar Association. These were held in Montgomery and Baltimore Counties in the spring. The forums gave the public an opportunity to ask the judges questions and presented the judges with a chance to hear about prob-

lems that the public faces in its interaction with the judicial system. Next year, the Committee would like to expand the project to other areas of the state.

The Select Committee on Gender Equality is a joint committee of the Judiciary and the Maryland State Bar Association. In November 1990, the Select Committee sponsored an education program on "Spousal Support, Child Custody and Visitation Issues." It was attended by circuit court judges and domestic relations masters. Funding was appropriated by the Maryland General Assembly, the State Justice Institute and the Maryland Judiciary. Maryland was the first state in the country to host this program which is now being offered to other states.

Teams of judges and attorneys



The Maryland State Law Library

from the Committee have attended most of the circuit and District Court bench meetings in the state to discuss gender bias issues and problems.

The Committee has divided its work into four subcommittees: Courtroom Demeanor, Domestic Violence, Legislation, and Complaints. In June 1991, Judge Lawrence F. Rodowsky resigned as Chairman. The Honorable James S. McAuliffe has agreed to serve as the new Chairman.

A videotape, "In Her Own Image: Women in Law - A Maryland Perspective" was produced by the Information Services Division in conjunction with the Select Committee on Gender Equality. The purpose of the videotape is to inform and educate students about career choices in the field of law and to document the contributions of important Maryland women in the legal profession. It presents the history of the first women lawyers in Maryland and also features interviews with some of their modern day counterparts who have become successful lawyers and judges. A printed discussion guide, also written by the staff, will accompany the videotape into school classrooms around the state. The program will be broadcast on Maryland Public Television on March 6, 1992 at 11:30 a.m.

Staff from the unit serve on the Governor's Council on Child Abuse and Neglect and the State Board of Victim Services.

Circuit Court Management and Activities

As a result of a constitutional amendment, the clerks' offices of the circuit courts were transferred from the Comptroller's Office to the judicial branch effective January 1, 1991. The responsibility for the management of these offices

now rests with the Chief Judge of the Court of Appeals.

In response to the legislative and electoral mandate, the Administrative Office of the Courts formed a circuit court services component to assist in the management of clerk offices. This section is under the direct supervision of a deputy state court administrator and is composed presently of four assistant administrators and one management assistant.

Since January, several significant projects have been initiated in Baltimore, Prince George's, Queen Anne's, and Frederick Counties.

In Baltimore County, a plan to consolidate law and equity into a single civil division has been completed recently and is presently in the implementation stage. Additionally, a complete conversion of the current records system to open-shelf, color-coded filing is underway. This new records management system will be augmented by the development of an automated file tracking system.

In both Prince George's and Queen Anne's Counties, records management studies are in progress and will result in alterations to existing systems.

Frederick County is the site of the first comprehensive examination of clerk operations. A study is being conducted to measure present workload, review the flow of work through the various office components, and examine staffing levels.

Additionally, in an effort to facilitate greater efficiency in word processing within clerk offices, twenty personal computers have been installed in sixteen counties. Each location has been the recipient of customized programming and training in WordPerfect to accommodate specific word processing needs.

During Fiscal 1991, court administrators reported that the cir-

cuit courts continued efforts to address caseload problems. Prayers for jury trials from the District Court remain a concern because of the impact on the disposition of criminal cases. In the Circuit Court for Baltimore City, Montgomery and Baltimore Counties there are procedures to permit a defendant to get a jury trial on the same day in the circuit courts. While the number of prayers for jury trials have dropped, these efforts cause a drain on resources provided by judges, state's attorneys, public defenders, and other court support personnel.

Asbestos cases continue to crowd civil dockets in six jurisdictions. In Baltimore City the concentrated asbestos litigation program is underway. Thousands of asbestos personal injury cases have been consolidated into one trial where common issues will be resolved.

Baltimore City implemented two projects to improve case management and scheduling. A judicial settlement program uses 14 judges hearing two cases a day for settlement purposes while a lawyer settlement program uses two lawyers a day to resolve cases. The goal is to reduce the civil case backlog and the time it takes to obtain a jury trial from two years to one year.

Statewide, the circuit courts are engaged in building programs involving the completion of expanded facilities or renovations. Washington, Calvert and Charles Counties continue the work identified last year. Prince George's County will occupy the new courthouse addition in the late fall of 1991. In Baltimore County, the circuit court is renovating two areas for court purposes. This includes new offices for court reporters and a new jury assembly area with the seating capacity for 200 jurors. In the planning stages for Fiscal 1992 are three new courtrooms plus chambers and jury deliberation

rooms. The renovation projects in Baltimore City include a new bench conference center in Court-house East and the refurbishment of Courtroom 400 in the Mitchell Courthouse. Both projects are scheduled for completion in 1991.

Statistics

Quarterly workload reports, the Circuit Court Personnel and Budget Report, Reserved Case Reports, and statistical analyses for the Certification of Judgeship Needs Analysis are among the statistical reports compiled by the judicial staff specialist. Additionally, during the past year, staff provided assistance to the Long Range Planning Committee of the Maryland Judicial Conference. Ongoing assistance is provided to the Judicial Nominating Commissions. The Administrative Office of the Courts newsletter, *The Face of the Judiciary*, is edited here.

Sentencing Guidelines

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide judges with information to help them in sentencing and to create a record of all sentences imposed for particular offenses and types of offenders. The guidelines were developed and are evaluated by the judges in consultation with representatives from other criminal justice and related governmental agencies and the private bar. At the direction of the Sentencing Guidelines Board, staff monitor the use of guidelines to ensure the completeness and accuracy of the data used to review and update the guidelines.

Training in the use of the guidelines exists in several forms. All new judges on the circuit court receive an orientation regarding the function and use of sentencing guidelines. A revised instructional videotape is available for every ju-

isdiction and is sent upon request. As worksheets are edited, requests for missing information are returned to the circuit. Once returned to the Sentencing Guidelines office, this data is added to the main file for future analysis.

The data derived from the worksheets is used to produce statistical reports on compliance rates, increases or decreases on certain charges, and to also trace various sentencing patterns throughout the State of Maryland.

A revision committee convened by Judge Kaplan and chaired by Judge Levitz will study the range of compliance throughout the state on all felony cases derived from indictment of criminal information charges. The results of the committee hearings should produce new guidelines compliance ranges and possibly add new charges to be covered by sentencing guidelines. A revised guidelines manual should be issued after this committee completes its review.

Special Projects

In Fiscal 1991, this section coordinated the Judicial Nominating Commissions Orientation Conference for the new members of the nominating commissions, the election of the attorney members of the nominating commissions, and also provided staff to the nominating commissions when a judicial vacancy occurred.

Employees maintained the docket of "out-of-state" attorneys granted or denied special admission to practice under Rule 14 of the Bar Admission Rules.

Staff chaired a committee to study existing facilities used by the judiciary in the Annapolis area to determine future space needs. The first step identified potential locations for a District Court/Multi-Service Center with assistance from Anne Arundel County and the State Department of Transporta-

tion. The relocation of Judicial Information Systems and the Judiciary's Data Center also was investigated. The final report on State Judiciary Facilities was presented to the Chief Judge of the Court of Appeals, the Chief Judge of the District Court, the State Court Administrator, the Secretary of General Services and support personnel. This report is viewed as the blueprint for the required growth of the Annapolis facilities.

A new office building, in Crownsville, has provided temporary rented space for the next five years for staff to the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, and the Attorney Grievance Commission. The construction of the new Multi-Service Center in the Annapolis area over the next five years will provide a permanent location for these units and a new location for a District Court facility now in Annapolis.

Assistance to the Long-Range Planning Committee of the Maryland Judicial Conference involved significant work. The Committee was established to assess the existing structure, procedures, and organization of the Judicial Conference and to recommend any necessary changes that would make the Conference responsive to the future demands and needs of the Maryland Judiciary. Input to the Committee was provided through a comprehensive survey of all Maryland judges. The report of the survey will be reviewed in Fiscal 1992.

The District Court of Maryland

The 1991 fiscal year was more than another year in the existence of the District Court of Maryland. June 30, 1991 marked the end of the Court's twentieth year of existence, an occasion that was cele-

brated by more than 600 judges, administrators, clerks, secretaries, bailiffs, constables and commissioners at a Twentieth Anniversary Party at the LaFontaine Bleu in Glen Burnie.

The twenty year period was a period of remarkable growth for the District Court. In caseload, the Court grew from 670,000 filings in its first year of operation to 2,097,887 in its twentieth year. The Court began with an authorized complement of 80 judges, and at the end of the 1991 fiscal year had a complement of 97 judges. The support staff of the Court consisted of 758 clerks twenty years ago, and as of the close of business on June 30, 1991 numbered 1,047.

On the fiscal side, the budget of the Court grew from \$10,000,000 in its first year to \$61,000,000 in its twentieth year, while the Court revenues during that period rose from \$11,500,000

to \$61,000,000.

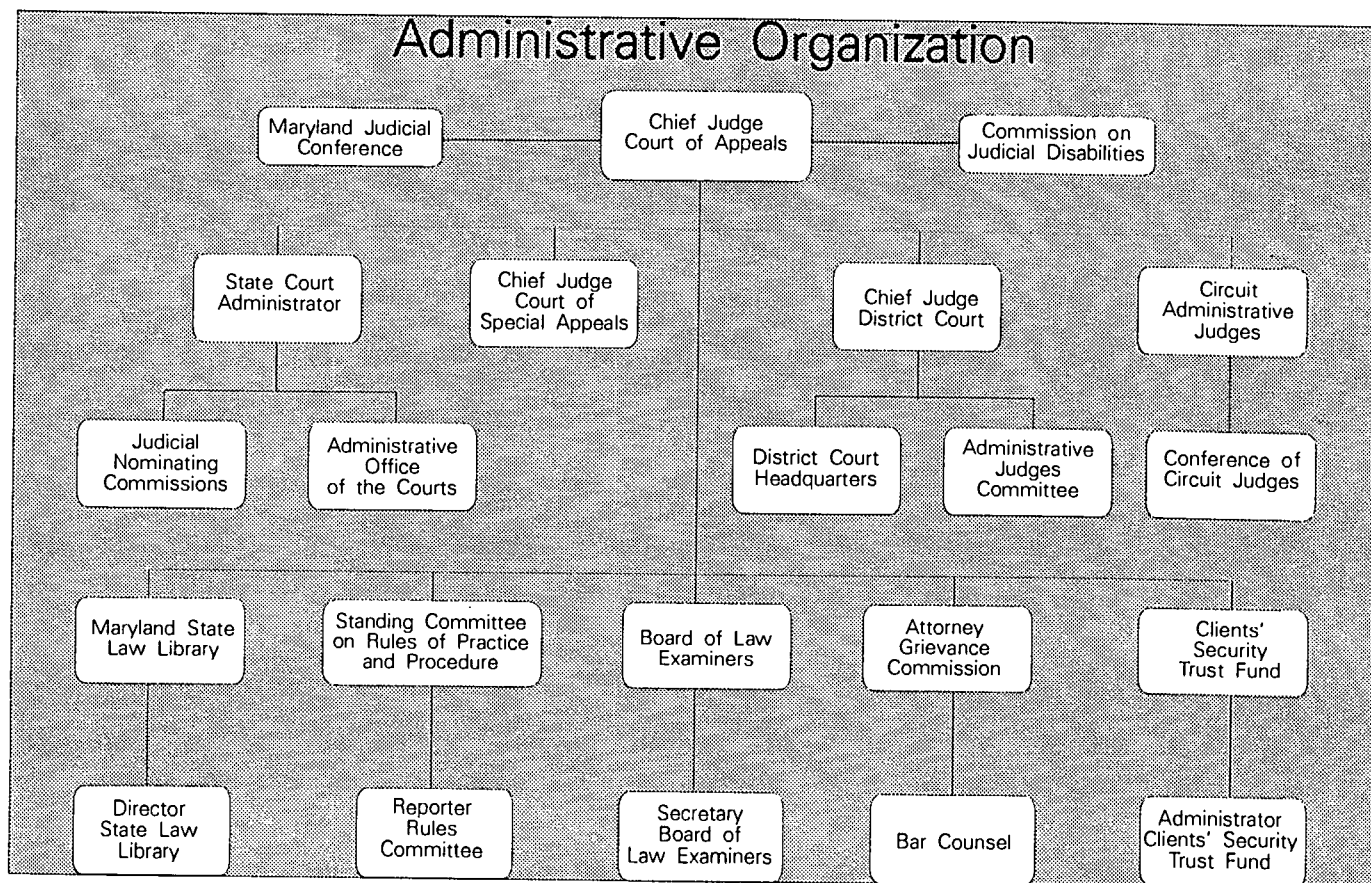
Perhaps most remarkable of all concerning the growth of the Court over its first two decades was the construction program undertaken by the State to provide appropriate facilities for the Court throughout Maryland.

When the District Court came into existence, almost sixty buildings were utilized as District court-houses, ranging from an abandoned firehouse in Essex to a former gasoline station in Oakland, and including the altar of a church in Bowie, and a voting machine storage shed in Snow Hill. Of those sixty buildings, only five remained in court use on June 30, 1991, and two of those five, in Upper Marlboro and Prince Frederick, will soon be replaced by buildings now under construction.

Elsewhere in Maryland, the Court is now situated in 17 District Court Multi-Service Centers or

other new buildings constructed especially for court use. In those areas of the state where new facilities have not yet been built for the Court, District judges now sit in premises that have been renovated to the Court's specifications and made suitable for court purposes.

It is worthy of note that while the caseload of the District Court has tripled in its first twenty years, its complement of judges has increased by only 20 percent, and the Court's nonjudicial staff has increased by only 40 percent. Obviously, many factors have contributed to the ability of so few people to handle such a greatly increased workload. Among those factors were the data processing systems developed jointly by the Court and the Judicial Information Systems of the Administrative Office of the Courts, an effort spearheaded by the Court's great, lamented Chief Clerk Margaret L. Kostritsky,



whose extraordinary service to the Court abruptly ended with her sudden death in January, 1991.

Special training programs developed by court officials and administrative techniques perfected by administrative judges, administrative clerks and other key personnel have also played a vital part in case processing.

We note with pride that in commenting on the Court's Twentieth Anniversary, the Honorable Robert C. Murphy, Chief Judge of the Court of Appeals, stated that "the integrity, dedication, ability and concern of the judges and non-judicial employees of the Court has established a quality of justice that may be unmatched in any Court at this level in the nation."

Assignment of Judges

Article IV, §18(b) of the Maryland Constitution provides the Chief Judge with the authority to make temporary assignments of active judges to the appellate and trial courts. Also, pursuant to Article IV, §3A and §1-302 of the Courts Article, the Chief Judge, with the

approval of the Court of Appeals, recalls former judges to sit in courts throughout the State.

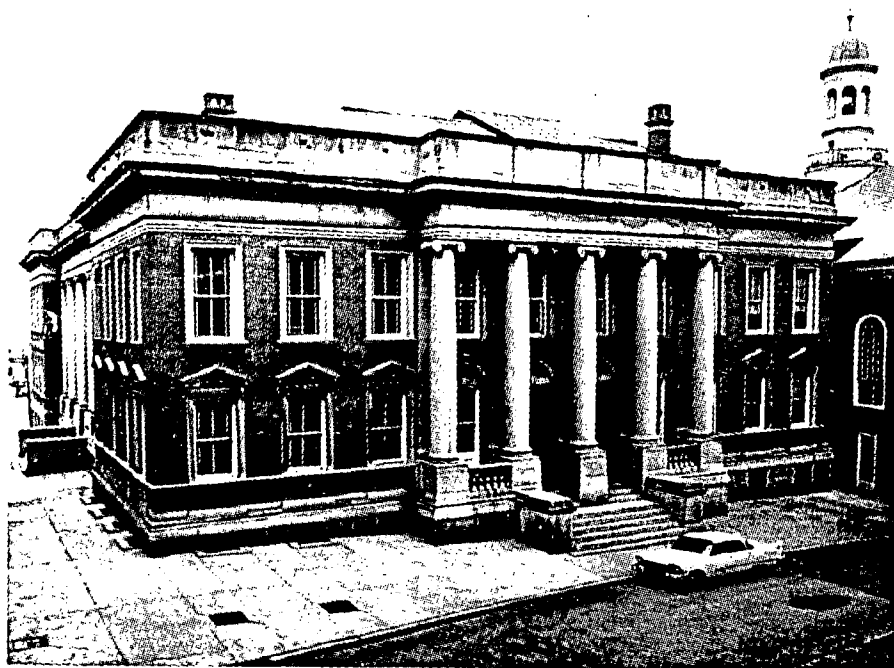
Section 1-302 of the Courts Article sets forth conditions that limit the extent to which former judges can be recalled. Their use enhances the Maryland Judiciary's ability to cope with growing caseloads, extended illnesses, and judicial vacancies. It minimizes the need to assign full-time judges, thus disrupting schedules and delaying case disposition. One retired circuit judge provides assistance in the processing and trial of asbestos cases. In addition, Circuit Administrative Judges, pursuant to the Maryland Rules, assign active judges to hear specific cases within their circuits and exchange judges between circuits.

By designating District Court judges as circuit court judges, assistance was provided to the circuit courts in Fiscal 1991. This assistance consisted of 150 judge days, of which 102 were provided to the Circuit Court for Baltimore City. The Chief Judge of the District Court pursuant to constitutional

authority, made assignments internal to that Court to address backlogs, unfilled vacancies, and extended illnesses. In Fiscal 1991, these assignments totaled 478 judge days.

At the appellate level, the maximum use of available judicial manpower continued. The Court of Special Appeals caseload is being addressed by limitations on oral argument, assistance by a central professional staff, and a pre-hearing settlement conference. The Chief Judge of the Court of Appeals exercised his authority by designating appellate and trial judges to sit in both appellate courts to hear specific cases. Finally, a number of judges on the Court of Special Appeals were designated to circuit courts for various periods to assist those courts with their workloads.

More former judges were available and heard cases this year than any other time since this plan went into effect. The Chief Judge of the Court of Appeals, with the approval of the Court, recalled 18 former circuit court judges and 2 former appellate judges to serve in the circuit courts for 873.1 judge days. Twenty-five retired District Court judges were recalled to sit in that court totaling approximately 837 judge days. Six former appellate judges were recalled to assist both courts for a total of 167.6 judge days.



The former Court of Appeals Building

COURT-RELATED UNITS

Board of Law Examiners

Rules Committee

State Law Library

Attorney Grievance Commission

Clients' Security Trust Fund

Court-Related Units

Board of Law Examiners

In Maryland, the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

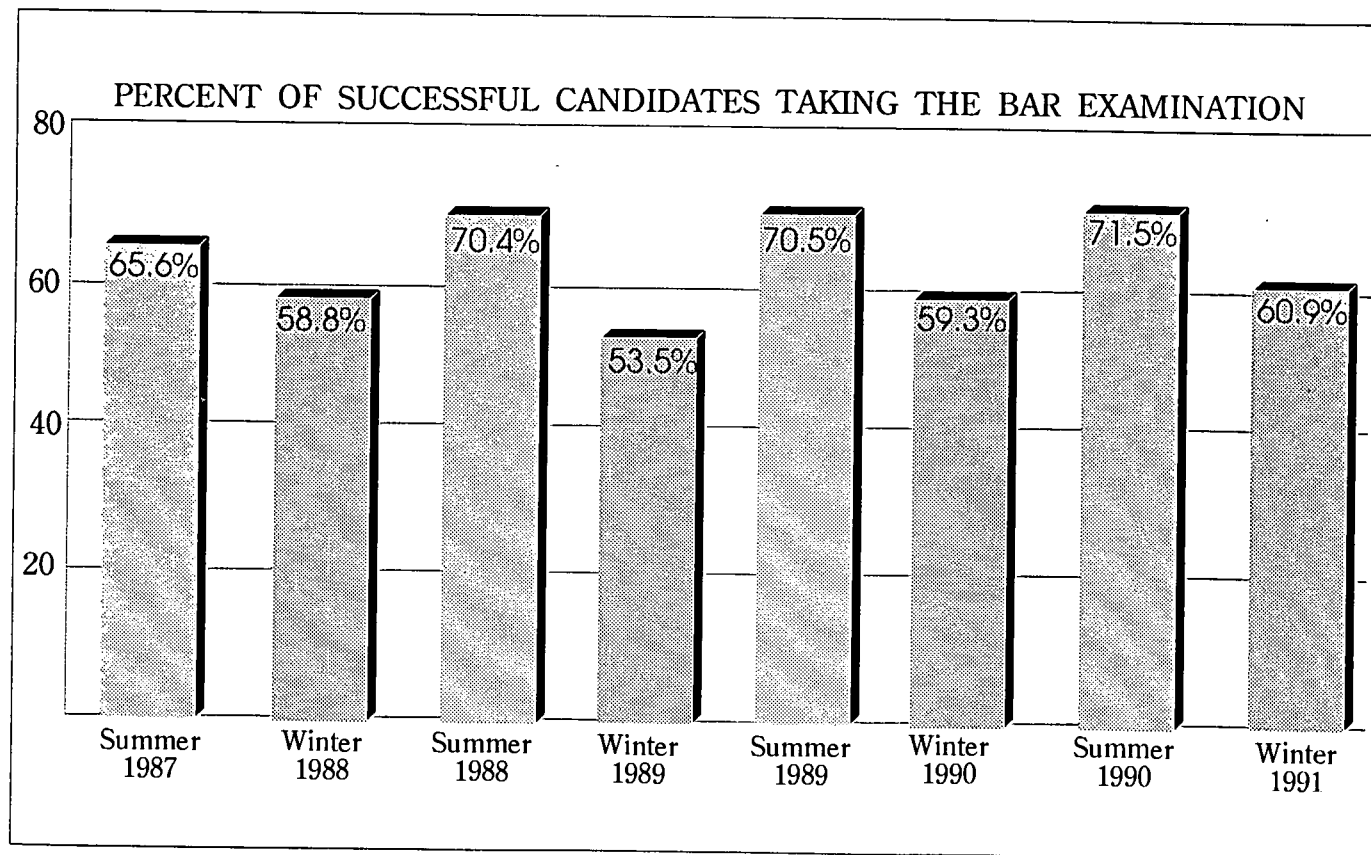
The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours of writing time.

Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in fifty jurisdictions. The states not using the MBE are Indiana, Iowa, Louisiana, and Wash-

ington. It is a six-hour test that covers six subjects; contracts, criminal law, evidence, real property, torts and constitutional law.

Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, Maryland



civil procedure, property, and torts. Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Beginning with the July 1983 examination, by amendment to the Rules of the Court of Appeals of Maryland governing admission to the bar, the subject of professional responsibility was added to the list of subjects on the Board's essay test.

The results of the examinations given during Fiscal Year 1991 are as follows: a total of 1,126 applicants sat for the July 1990 examination with 806 (71.5 percent) obtaining a passing grade, while 555 sat for the February 1991 examination with 338 (60.9 percent) being successful.

Passing percentages for the two previous fiscal years are as follows: July 1988, 70.4 percent and

February 1989, 53.5 percent; July 1989, 70.5 percent, February 1990, 59.3 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 13 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Rules of Professional Conduct. The test is of three hours' duration and is administered on the first day of the regularly scheduled bar examination.

Commencing with the February 1985 Attorney Examination, the revised Maryland Rules of Procedure, which became effective July 1, 1984, were used. They were

also used on the regular bar examination.

The new Maryland Rules of Professional Conduct were effective January 1, 1987. These new Rules were used on both the Attorney Examination and the regular bar examination commencing with the February 1987 examinations.

At the Attorney Examination administered in July 1990, 104 applicants took the examination for the first time along with 13 who had been unsuccessful on a prior examination, for total of 117 applicants. Out of this number, 105 passed. This represents a passing rate of 89.7 percent.

In February 1991, 104 new applicants took the examination for the first time along with 11 applicants who had been unsuccessful on a prior examination, for a total of 115 applicants. Out of this number, 94 passed. This represents a passing rate of 81.7 percent.

The State Board of Law Examiners

Charles H. Dorsey, Jr., Esquire; Chairman; Baltimore City Bar
William F. Abell, Jr., Esquire; Montgomery County Bar
John F. Mudd, Esquire; Charles County Bar
Robert H. Reinhart, Esquire; Allegany County Bar
Jonathan A. Azrael, Esquire; Baltimore County Bar and Baltimore City Bar
Pamela J. White, Esquire; Baltimore City Bar
Christopher B. Kehoe, Esquire; Talbot County Bar

Results of examinations given by the State Board of Law Examiners during Fiscal Year 1991 are as follows:

Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
JULY 1990	1,126	806 (71.5%)	955	750 (78.5%)
Graduates				
University of Baltimore	219	164 (74.8%)	177	149 (84.1%)
University of Maryland	231	186 (80.5%)	202	174 (86.1%)
Out-of-State Law Schools	676	456 (67.4%)	576	427 (74.1%)
FEBRUARY 1991	555	338 (60.9%)	314	226 (71.9%)
Graduates				
University of Baltimore	104	65 (62.5%)	55	41 (74.5%)
University of Maryland	85	48 (56.4%)	35	28 (80.0%)
Out-of-State Law Schools	366	225 (61.4%)	224	157 (70.0%)

*Percentages are based upon the number of first-time applicants.

Rules Committee

Under Article IV, §18 (a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State; and under Code, Courts Article, §13-301 the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure, which became effective July 1, 1984. Phase II of the project began with the adoption of Title 8 of the Maryland Rules, which became effective July 1, 1988. The Committee is continuing its work on Phase II, which involves the remainder of the Maryland Rules, Chapters 900 through 1300. In addition, the committee has been authorized by the Court of Appeals to undertake an effort to develop a comprehensive code of rules of evidence. A Special Subcommittee of the Rules Committee began work on this challenging project in early 1989 and continues to meet regularly.

During the past year the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. The One Hundred Thirteenth Report, published in the *Maryland Register*, Vol. 17, Issue 23 (November 16, 1990) contained proposed new Rule 1-502, Impeachment by Evidence of Conviction of Crime, and a number of proposed amendments to existing rules. The most significant of these were (1) an amendment to Rule 1-322, making clear that pleadings and court papers may not be filed directly with the clerk by electronic transmission; (2) amendments to Rules 2-401, 3-401 and related discovery rules, providing that discovery materials may not ordinarily be filed with the court; and (3) amendments to Rules 2-303, 3-303, 2-311, and 3-311, providing that a party must attach to a motion or response any document that the party wishes the court to consider in making its ruling, unless the material is incorpo-

rated by reference as permitted by Rules 2-303/3-303 or set forth verbatim in the motion or response. In light of these changes, an amendment to Rule 2-501 removes the reference to "pleadings, depositions, answer to interrogatories, etc." and substitutes "the motion and response."

Except for proposed new Rule 1-502, which is still under consideration by the Court, and a proposed amendment to Rule 3-711 that was withdrawn, the Court of Appeals adopted the Rules changes proposed in the 113th Report by Order of March 22, 1991, with an effective date of July 1, 1991. That Order was published in the *Maryland Register*, Vol. 18, Issue 8 (April 19, 1991).

The One Hundred Fourteenth Report, published in the *Maryland Register*, Vol. 18, Issue 3 (February 8, 1991) contained proposed new Rules 1212, 1213, and 4-340, proposed amendments to Rule 4-215, and miscellaneous "house-



The Courts of Appeal Building

keeping" amendments to the Title 4, Chapter 500 Rules (expungement of criminal records). New Rules 1212 (Personnel in Clerks' Offices) and 1213 (Operations in Clerks' Offices) implemented historic 1990 constitutional and statutory changes transferring the clerks of the circuit courts from the executive branch to the judiciary. They were intended to supersede Interim Rule 1219A, which was promulgated by the Court of Appeals on November 29, 1990. New Rule 4-340 implements provisions of Code, Article 27, §298 A (the Drug Enforcement Act of 1990).

That statute requires the reporting to licensing authorities of controlled dangerous substance convictions of persons holding licenses, under certain circumstances. The Rule attempts to clarify some of the ambiguities in the legislation.

The amendments to Rule 4-215 make clarifying changes to sections (a), (c), and (d) in light of *Evans v. State*, 84 Md. App. 573 (1990). The Court of Appeals adopted the rules changes proposed in the 114th Report by Order of May 9, 1991, with an effective date of July 1, 1991. That Order was published in the *Maryland Register*, Vol. 18,

Issue 11 (May 31, 1991).

The One Hundred Fifteenth Report, published in the *Maryland Register*, Vol. 18, Issue 6 (March 22, 1991) contained proposed new Rule S74A and proposed amendments to Rules 2-541, 2-603, and 1-325. All of these changes relate to domestic relations actions. New Rule S74A and related amendments to Rule 2-541 were proposed in response to *Stach v. Stach*, 83 Md.App. 36 (1990) and to a perceived need to clarify the role of masters and to streamline the exceptions process in domestic relations cases. The new Rule collects

The Standing Committee on Rules of Practice and Procedure

Hon. Alan M. Wilner, Chairman, Court of Special Appeals

Hon. John S. Arnick
State Delegate, Baltimore County

Hon. Walter M. Baker
State Senator, Cecil County

Lowell R. Bowen, Esq.
Baltimore City Bar

Prof. Robert R. Bowie
Talbot County Bar; *Emeritus*

Albert D. Brault, Esq.
Montgomery County Bar

D. Warren Donohue, Esq.
Montgomery County Bar

Ms. Audrey B. Evans
Clerk, Circuit Court for Calvert County

Judson P. Garrett, Jr., Esq.
Deputy Attorney General

Hon. Clayton Greene, Jr.
District Court, Anne Arundel County

John O. Herrmann, Esq.
Baltimore City Bar

H. Thomas Howell, Esq.
Baltimore City Bar

David S. Iannucci, Esq.
Chief Legislative Officer

Hon. G. R. Hovey Johnson
Circuit Court for Prince George's County

Harry S. Johnson, Esq.
Baltimore City Bar

Hon. Joseph H. H. Kaplan
Administrative Judge, Circuit Court for Baltimore City

Hon. Michael Waring Lee
Orphans' Court of Baltimore City

James J. Lombardi, Esq.
Prince George's County Bar

Anne C. Ogletree, Esq.
Caroline County Bar

Hon. Kenneth C. Proctor
Circuit Court for Baltimore County (retired); *Emeritus*

Rober D. Redden, Esq.
Baltimore City Bar

Hon. Mary Ellen T. Rinehardt
District Court, Baltimore City

Linda M. Schuett, Esq.
Baltimore City Bar

Melvin J. Sykes, Esq.
Baltimore City Bar

Rober W. Titus, Esq.
Montgomery County Bar

Una M. Perez, Esq., Reporter
Sherie B. Libber, Esq., Assistant Reporter

in one place the provisions concerning the role of masters in domestic relations matters; the changes to Rule 2-541 have the effect of "carving out" those matters from the general rule.

The amendments to Rules 2-603 and 1-325 were proposed in response to a perceived need to clarify a court's power in actions for divorce, annulment or alimony to waive final costs and fees, including master's and examiner's fees, if the party against whom the costs and fees are assessed is indigent. These changes are consistent with *Boddie v. Connecticut*, 401 U.S. 371 (1971), which holds that the Due Process clause requires that indigents have access to a state's courts for the purpose of obtaining a divorce.

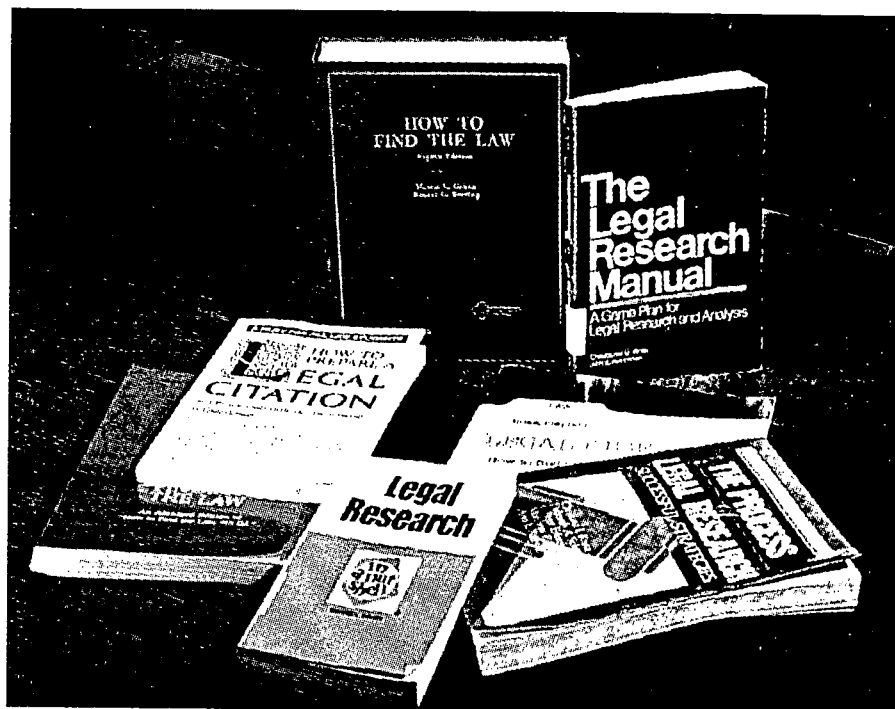
The Court of Appeals adopted the rules changes proposed in the 115th Report by Order of June 4, 1991, with an effective date of July 1, 1991. That Order was published in the *Maryland Register*, Vol. 18, Issue 13 (June 28, 1991).

State Law Library

The Maryland State Law Library provides an optimum level of support for all the legal and general reference research activities of the Court of Appeals, Court of Special Appeals, and other court-related units within the judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the Legislature in 1827, the library, currently staffed by 10 full-time employees and two part-time contractuels, is governed by a Library Committee whose powers include appointment of the director of the library as well as general rule-making authority.

With a collection close to 300,000 volumes, this specialized



Books on legal research

facility offers researchers access to three distinct and comprehensive libraries of law, general reference/government publications and Maryland history and genealogy. Of special note are the library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries.

Over the past year, the library has made substantial improvements to its collections. Now provided is digest coverage for all the West Regional Reporters as well as individual out-of-state digest sets for those not now covered by regional digests no longer published. A strong Maryland local government law collection continues to be developed. In addition to a current collection of all county and municipal codes, the library has been acquiring county grand jury reports and school board and local police department policy and procedure manuals. The library has filmed the important and not widely accessi-

ble collection of *Maryland Judicial Conference Proceedings, 1951-1988*, and has initiated an ongoing filming project for many of the Gubernatorial and Legislative Task Force and Study Commission reports in the collection. The complete inventory of this important collection has been indexed and a subject arranged printed guide will be forthcoming in early Fiscal 1992. Committee Bill files microfilmed by the Department of Legislative Reference are also being acquired on a piecemeal basis. Currently, the library has a complete file for all bills introduced for the 1978-1988 legislative terms inclusive. New compact disc indexes to legal periodical literature and federal government publications are now available on the library's CD work stations. Also available on CD is the union list of holdings of books and periodicals from all major Maryland libraries called MICROCAT. Project Hermes, an almost instantaneous on-line access to U.S. Supreme Court opinions

were made available to the appellate courts during this past year. Finally, the State Justice Institute conferred depository status on the library for all SJI-supported grant products. This will significantly enhance the library's court administration collection.

The Library Committee approved a new policy aimed at clarifying the information services that will be provided to the library's nonlawyer users entitled, *Guidelines For Legal Information Service to the Public*.

On-line cataloging and reclassification of the entire collection continue to be a high priority effort. In all, some 3,200 titles have been processed on OCLC during Fiscal 1991. The library also initiated a program which will automate its heavily used Information and Referral file.

Technical assistance was provided to three circuit court libraries in the further development of their library services. Consultations included collection development, space planning, and information on computer-assisted legal research systems and library staffing.

During the past year, the library continued to participate in RSVP (Retired Senior Volunteer Program) through Anne Arundel County. This program has provided the library with a number of part-time volunteers, who have initiated and completed a number of important indexing and clerical projects.

Publications issued by the library include a guide to conducting legislative history research in Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland*; *A Checklist of Sources*; bibliographies entitled *Sources of Basic Genealogical Research in the Maryland State Law Library: A Sampler*; *Sources of Maryland Domestic Relations Law*, (Rev. 1990); *Researching the Bill of Rights in the Maryland State Law Library*,

(Rev. 1991) and *D.W.I. In Maryland: Selected Sources*, (Rev. 1991). Also included in the library's previous output are: *Self-Help Law: A Sampler*; *The U.S. and Maryland Constitutions: Some Basic Sources*; and *The Maryland Court of Appeals: A Bibliography of It's History*. An acquisitions list is distributed monthly.

Members of the staff continued to be active on the lecture circuit, addressing high school and college classes, and professional organizations on the basis of legal research techniques. Staff has appeared before genealogy societies to discuss the collections and services available from the library. A substantial number of guided tours were conducted by reference staff during the year.

The library continued its efforts in assisting the Law Related Education Program of Maryland, Inc. and various Teacher Institutes in celebrating the bicentennial of the Bill of Rights with tours and lectures on the library's constitutional law collection. The acclaimed Bills of Rights poster exhibit entitled "To Preserve These Rights" was featured as the main Courts of Appeal Building lobby exhibit for the year.

Located on the first floor of the Courts of Appeal Building, the library is open to the public Monday, Wednesday, Friday, 8:30 a.m. - 4:30 p.m.; Tuesday and Thursday, 8:30 a.m. - 9:00 p.m.; and Saturday, 9:00 a.m. - 4:00 p.m.

Summary of Library Use Fiscal 1991	
Reference inquiries	29,500
Volumes circulated to patrons	4,400
Interlibrary loan requests filled	2,020
In-person visitors	42,085

Attorney Grievance Commission

The Attorney Grievance Commission was established in 1975 to supervise and administer the discipline and inactive status of Maryland lawyers. An amendment, effective January 1, 1987, enlarged the definition of an "attorney," subject to its jurisdiction to nonmembers of the Maryland Bar who engage in the practice of law in Maryland.

A disciplinary fund is established by rule of the Court of Appeals to pay Commission staff as well as other Commission expenses. Effective July 1, 1990, an attorney who maintains a right to practice is assessed the sum of \$65.00 for the disciplinary fund. The budget for the Commission is approved prior to the commencement of each fiscal year by the Court of Appeals. The Court authorized late fees for attorneys who neglect their payment obligations. Late fees are used for the administrative duties involved in billing and maintenance of the Clients' Security Trust Fund list during the fiscal year.

The Commission consists of eight lawyers and two nonlawyers appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment immediately following the expiration of that member's term. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation.

The Commission, subject to approval by the Court of Appeals, appoints a lawyer to serve as bar counsel, the principal executive officer of the disciplinary system. The Commission supervises the activities of Bar Counsel and staff. Duties of bar counsel and staff include investigation of all matters involving possible misconduct;

prosecution of disciplinary proceedings; investigation of petitions for reinstatement; unauthorized practice of law; and overdraft notifications on the escrow accounts of attorneys.

Bar counsel's staff includes a deputy bar counsel, four assistant bar counsel, four investigators, an office manager and six secretaries. For Fiscal 1992 the Court has authorized a staff increase of one additional assistant bar counsel, an investigator and a secretary.

The Commission also performs investigations for Maryland's Clients' Security Trust Fund to determine what claims, if any, should be paid. An increasing number of matters before the Commission, as well as before the Fund, warranted the additional investigator.

The Commission meets monthly, receives reports on receipts and expenditures, disciplinary statistics, the flow of com-

plaints at all stages within the disciplinary process and reviews personnel performance.

A Review Board consists of eighteen persons, fifteen of whom are attorneys and three nonlawyers. Members of the Review Board serve three-year terms and are ineligible for reappointment. The Board of Governors of the Maryland State Bar Association selects the attorney members of the Review Board. The Commission selects nonlawyer members from the State at large, after solicitation from the Maryland State Bar Association and the general public in a manner deemed appropriate by the Commission. Judges are not permitted to serve as members of the Inquiry committee or the Review Board. The Board reviews matters referred to it under the BV Rules by an Inquiry Panel.

A grievance which is not screened out or dismissed is re-

ferred for a hearing by members of the Inquiry Committee, all of whom are volunteers (2/3 lawyers and 1/3 nonlawyers) each appointed for a three year term and eligible for reappointment. The lawyer members are selected by local bar associations. Nonlawyer members are selected by the Commission.

The Commission received a total of 1,424 matters, classified as *inquiries*, in Fiscal 1991 compared to 1,344 in Fiscal 1990. Formal docketed *complaints* increased from 336 last year to 341 this year. Totals for the two reflect an increase (from 1,680 to 1,765) of approximately 5 percent. Pending *complaints* at the end of Fiscal 1991 were greater than at the end of Fiscal 1990.

The number of lawyers disbarred was 21, compared to 22 last year. Suspensions by the Court of Appeals decreased from nineteen last year to ten this year. The Review Board issued a total of 13 private reprimands, 6 more than the previous fiscal year.

Bar Counsel and staff appeared before bar associations, law schools and public bodies to explain the disciplinary system and ethical obligations of attorneys. Articles dealing with discipline or ethical issues appear in each issue of the *Maryland State Bar Journal*. Melvin Hirshman, Bar Counsel, has continued his activity with the National Organization of Bar Counsel appearing on their educational programs twice a year. He has served as liaison on behalf of the National Organization of Bar Counsel to the American Bar Association Client Protection committee. Mr. Hirshman and Glenn M. Grossman were faculty members at an American Bar Association professionalism workshop in May 1991 presenting a program dealing with attorneys who engage in the unauthorized practice of law after

SUMMARY OF DISCIPLINARY ACTION

	FY'87	FY'88	FY'89	FY'90	FY'91
Inquiries Received (No Misconduct)	1,119	1,165	1,260	1,334	1,424
Complaints Received (Prima facie misconduct indicated)	412	273	295	336	341
Totals	1,531	1,438	1,555	1,680	1,765
Complaints Concluded Disciplinary Action by No. of Attorneys:	373	302	331	357	313
Disbarred	11	3	3	3	7
Disbarred by Consent	8	7	7	19	14
Suspension	12	13	11	19	10
Public Reprimand	3	3	2	4	1
Private Reprimand	14	7	12	7	13
Dismissed by Court	6	2	0	4	1
Inactive Status	3	1	1	4	0
Petitions for Reinstatement (Granted)	2	0	5	0	0
Petitions for Reinstatement (Denied)	2	3	1	1	3
Resignations	1	0	0	1	0
Resigned with Prejudice, Without Right to be Readmitted	0	0	0	0	0
Total No. of Attorneys Disciplined	62	39	42	62	49

their license has been suspended or disbarred. This was the second yearly program at the professionalism workshop planned for training counsel new to discipline throughout the United States.

The Commission provides financial support to the lawyer counseling program of the Maryland State Bar Association. Complaints against lawyers often result from mental illness, dependence on alcohol or drugs or poor office procedures. The counseling program is designed to aid lawyers with these problems. Bar Counsel finds that referrals to that program often prove helpful in avoiding a more serious disciplinary problem.

The Commission maintains a toll-free number for incoming calls from within Maryland as a convenience to complainants and volunteers who serve in the system.

The new address for the Commission is Suite 3301, 100 Com-

munity Place, Crownsville, Maryland 21032-2027. The Commission continues to maintain the same toll free number for all intra-state calls, 800-492-1660, as well as a new number (301) 514-7051, and a fax machine number (301) 987-4690.

Clients' Security Trust Fund

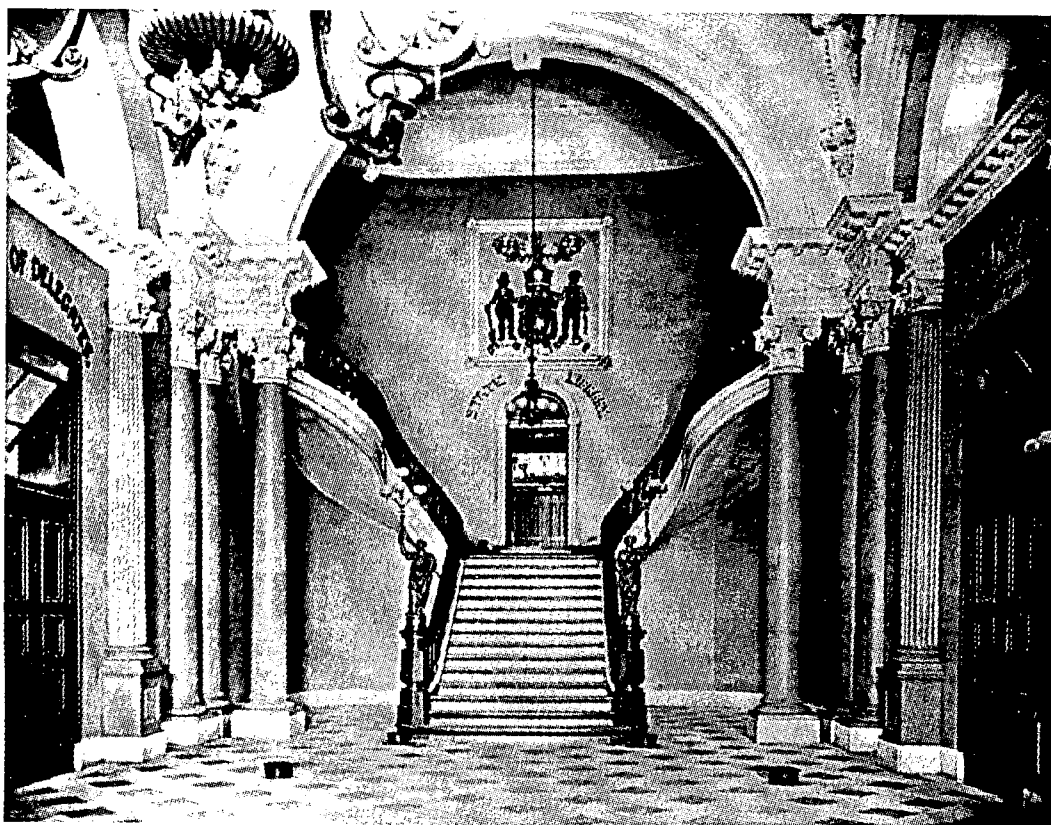
The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965 (Code, Article 10, Section 43). The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Client's Security Trust Fund is to maintain the integrity and protect the name of

the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

Seven trustees are appointed by the Court of Appeals from the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court of Appeals from the State at large. Trustees serve on a staggered seven-year bases.

The Fund began its twenty-fifth year on July 1, 1990 with a balance of \$1,925,754, as compared to a balance of \$1,546,997 for July 1, 1989.



Lobby, the former Court of Appeals Building

The Fund ended its twenty-fifth year on June 30, 1991 with a balance of \$2,015,824, as compared to a balance for the year ending June 30, 1990 of \$1,925,754.

During Fiscal 1991 the trustees met on four occasions. They elected the following members to serve as officers for the fiscal year: Victor H. Laws, Esq., Chairman; Carlyle J. Lancaster, Esq., Vice Chairman; Vincent L. Gingerich, Esq., Secretary and Issac Hecht, Esq., Treasurer.

In Fiscal 1991, the trustees

paid 33 claims totalling \$332,091.

Pursuant to Regulation 9 of the Fund, the trustees require all claimants to refer their complaints to the Attorney Grievance Commission. They also require that the grievance process be completed before a claim is paid except in unusual or extraordinary circumstances. As a result, all attorneys involved in claims paid have been disbarred or suspended or reprimanded or have died during the grievance process.

The Fund derived \$400,481 from assessments, as compared

with the sum of \$344,703 for the preceding fiscal year. In Fiscal 1991, the Fund had interest income of \$178,487.

There were 20,811 lawyers subject to the annual assessment last year. During the fiscal year 99 attorneys failed to pay and were decertified on May 20, 1991. In accordance with the Maryland Rules of Procedure, on May 20, 1991, the Court of Appeals entered an Order striking the non-paying attorney's names from the list of practicing attorneys in Maryland.

JUDICIAL CONFERENCES



Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945. It currently exists under provisions of Maryland Rule 1226, which direct it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of the 237 judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City, and the District Court of Maryland. The Conference meets annually in plenary session with the Chief Judge of the Court of Appeals as chairman. The State Court Administrator serves as executive secretary. Between annual sessions, Conference work is conducted by an Executive Committee and by a number of other committees covering various subjects relevant to the overall operation of the judiciary. These committees are established by the Executive Committee in consultation with the Chief Judge. The Administrative Office of the Courts provides staff support to each Conference committee.

The Executive Committee

The Executive Committee consists of 17 judges elected by their

peers from all court levels in the State. The Chief Judge of the Court of Appeals serves as an ex-officio nonvoting member. The Committee elects its own chairman and vice-chairman. Its major duties are to "perform the functions of the Conference" between plenary sessions and to submit "recommendations for the improvement of the administration of justice" in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and to the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge of the Court.

At its first meeting in July 1990, the Executive Committee elected the Honorable John P. Corderman, Associate Judge of the Circuit Court for Washington County, as its chairman, and the Honorable Robert F. Fischer, Associate Judge of the Court of Special Appeals, as its vice-chairman.

During the past year, the Executive Committee met on a monthly basis except during the summer. Over the course of the year, the Committee reviewed the work of the various committees and also considered certain issues on its own volition. Some matters received Committee attention and were subsequently referred to the General Assembly for action.

1991 Meeting of the Maryland Judicial Conference

Due to severe fiscal and other constraints faced by the judiciary and the State of Maryland this year, the Court of Appeals suspended the 1991 Annual Judicial Conference. During this same period, a special ad hoc Long-Range Planning Committee was created by the Executive Committee to study the annual Conference. Chaired by the Honorable William O. Carr, Associate Judge of the Circuit Court for Harford County, the Long-Range Planning Committee is studying and will make recommendations for the structure, content, and future meeting schedule of the Maryland Judicial Conference. Several meetings have been conducted and a survey questionnaire was distributed to all State judges soliciting their views and recommendations for Conference activities. A report by the Long-Range Planning Committee will be submitted to the Executive Committee in the Fall of 1991.

Conference of Circuit Judges

The Conference of Circuit Judges makes recommendations on the administration of the circuit courts, pursuant to Maryland Rule 1207. Its sixteen members include the eight Circuit Administrative Judges and one judge elected from each of the eight circuits for a two-year term. The chair is also elected by the Conference for a two-year term. In Fiscal 1991, the Conference met five times. The following highlights some of the important matters considered by the Conference.

1. Demand for Jury Trial Problem as it Impacts the Circuit Courts

The Conference continued to study the adverse impact that District Court jury trial prayers are having on the expeditious disposition of criminal cases in the circuit courts. A subcommittee commissioned by the Conference reviewed prior comprehensive studies on this subject and identified issues to be addressed. After several meetings, it made recommendations to the Conference including rules changes and legislative proposals. The Conference will continue its review in Fiscal 1992.

2. Split Sentence Practices Followed by the Division of Parole and Probation

The Conference met with the Director of the Division of Parole and Probation who expressed the Division's position on when the probation period begins under a split sentence. Probation supervision begins immediately upon an individual's release from actual incarceration rather than at the end of incarceration, parole, or mandatory release, if any. However, Article 27, § 641A(c) gives a court discretion to express its intention as to when a probation period should begin. The Conference advised the Division to modify its position which will be addressed in a modification to the uniform Order of Probation and the Commitment Record to indicate the express intention of a judge as to when a probation period should begin. This subject will be monitored during the next fiscal year.

3. Court-Ordered Fingerprinting Procedures

The Conference previously approved procedures to implement Article 27, § 747A, which calls for court-ordered fingerprinting under certain circumstances. The Conference clearly recognizes that imple-

mentation of the statute could not be accomplished without the full support of State's Attorneys, local sheriffs, and police officials. The Conference reaffirmed its procedures and communicated with all of these officials urging a joint effort to improve compliance under the statute. Compliance with the court-ordered fingerprinting statute was an issue in an audit of the Criminal Justice Information Systems proceedings in Maryland.

4. Implementation in the Circuit Courts of the Presentence Psychiatric Evaluation Program

The Conference met with representatives of the Mental Hygiene Administration of the Department of Health and Mental Hygiene for a presentation on the status of the Presentence Psychiatric Evaluation Program which began in 1987 in the District Court. The object is to provide a separate court-ordered psychiatric/psychological evaluation on convicted defendants prior to sentencing. The program implemented in the District Court is ready to be implemented in the circuit courts except where there are existing court clinics that will provide this service. In order to start in the circuit courts simultaneously, staff of the Administration will first meet and work with Administrative Judges, explaining the program and procedures. An evaluation can only be undertaken with a separate court order because funding is dependent upon an order by a judge for specific evaluation. While expressing some concern about the duplication of information that might be provided by a probation agent, the Administration said the program is intended to supplement, not replace, presentence investigations conducted by the Division. The Conference urged extensive coordination and cooperation between the two agencies as this program is implemented.

5. Rule to Assist in the Collection of Costs in Settled Cases

The Conference discussed Maryland Rule 2-507 and urged increased efforts to remove cases from the court docket that are subject to its provisions. During Conference discussion, it also surfaced that many cases settle, yet remain on an open docket because the clerks' offices do not have adequate resources to pursue and close out what may be a lot of "dead wood" including cases that have been settled, but costs have not yet been paid. The Conference recommended to the Rules Committee that it prepare and recommend to the Court of Appeals a rule or rules making it the responsibility of counsel to clear the court docket of cases that have been disposed of, including the obligation to pay all outstanding court costs.

6. Transfer of Clerks' Offices to the Judicial Branch

The Conference discussed legislation that had been passed to transfer the clerks' offices from the supervision of the Comptroller of the Treasury and the Executive Branch to the Judicial Branch. The Conference discussed new rules adopted by the Court of Appeals dealing primarily with personnel, procurement, and records management which become effective July 1, 1991. This places major responsibility with the Administrative Office of the Courts. It will also place responsibility to supervise the case assignment function and the jury selection process, whether or not it's located in the clerk's office, to the supervision of the County Administrative Judge or designee. This shift from the executive branch to the judiciary grants management oversight under the authority of rules promulgated by the Court of Appeals. The Conference hopes that the change will begin to address the personnel, equip-

ment, and fiscal problems these offices have confronted recently.

7. Legislation

The Conference continued to express its support or opposition to various legislative proposals, including support for Maryland Judicial Conference legislation. Judicial Conference legislation supported by the Conference and enacted is reported in the section of this report entitled "1991 Legislation Affecting the Courts".

8. Other Matters

There were many other matters discussed and considered by the Conference during this period covering different aspects of the administration of the circuit courts. This report is only a summary of the matters considered and decided.

Administrative Judges Committee of the District Court

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court of Maryland in 1971.

Under Article IV of the Maryland Constitution and the imple-

menting legislation in the Courts and Judicial Proceedings Article, the District Court is a single, statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective districts.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, ex-officio, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal 1991, the Committee acted on more than half a hundred items. Among the more significant were:

(1) Reviewed and made rec-

ommendations concerning the new computerized civil system;

(2) Reviewed and made recommendations concerning the implementation of the courtroom segment of bar coding;

(3) Established a standardized schedule of advance costs in motor vehicle seizure cases;

(4) Reviewed and amended certain preset fines for violations of the Motor Vehicle Laws and established fines for newly created violations, including the development of fines for unlawful acts committed while using the new light rail system;

(5) Developed a uniform policy relating to employees communicating with the press;

(6) Developed a uniform policy for public access to court records;

(7) Reviewed all existing systems in Maryland utilizing closed circuit TV for bail reviews;

(8) Instituted a statewide security survey;

(9) Recommended a Rule change to allow for destruction of criminal dockets five years after disposition, if microfilmed, and

(10) Reviewed and made recommendations to the Executive Committee of the Maryland Judicial Conference and to the General Assembly on various bills affecting the operation and administration of the District Court.

APPOINTMENT, DISCIPLINE, AND REMOVAL OF JUDGES



Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how to exercise this discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what

is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971. However, in 1988, the Judicial Nominating Commissions were restructured in such a way so as to allow each county with a population of 100,000 or more to have its own Trial Courts Nominating Commission. Out of that restructuring came fourteen commissions, known as Commission Districts, in addition to the Appellate Judicial Nominating Commission. Since that time, a fifteenth Commission District was added in Charles County as a result of increased population in that jurisdiction. Each judicial vacancy filled pursuant to the governor's appointing power is filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by Governor William Donald Schaefer, effective February 1, 1991, each of the sixteen commissions consists of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The Administrative Office of the Courts acts as a secretariat to all commis-

sions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places announcements in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and the local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After discussion of the candidates, the commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot. No Commission may vote unless at least 10 of its 13 members are present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. The list is then forwarded to the Governor who is bound by the Executive Order to make an appointment from the Commission list.

There were thirty-one vacancies for judgeships during Fiscal Year 1991, an increase of 34.8 percent over the twenty-three judicial vacancies of the previous fiscal year. The vacancies included two from the Court of Appeals; three from the Court of Special Appeals, ten from the circuit courts; and sixteen vacancies from the District Court. Comparative statistics with respect to vacancies and the number of applicants

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees from Fiscal 1983 to Fiscal 1991

		Court of Appeals	Court of Special Appeals	Circuit Courts	District Court	TOTAL
FY 1983	Vacancies	0	4	8	5	17 ^a
	Applicants	0	32	74	70	176
	Nominees	0	16	17	22	55
FY 1984	Vacancies	0	2	12	10	24 ^b
	Applicants	0	27	91	195	313
	Nominees	0	12	29	37	78
FY 1985	Vacancies	1	1	9	7	18 ^c
	Applicants	3	5	79	122	209
	Nominees	3	3	24	34	64
FY 1986	Vacancies	0	1	12	11	24
	Applicants	0	5	69	125	199
	Nominees	0	4	22	34	60
FY 1987	Vacancies	2	1	5	7	15 ^e
	Applicants	11	6	31	102	150
	Nominees	7	4	13	19 ^d	43
FY 1988	Vacancies	0	1	7	6	14 ^f
	Applicants	0	15	57	60	132
	Nominees	0	6	20	24	50
FY 1989	Vacancies	0	0	13	14	27 ^g
	Applicants	0	0	101	172	273
	Nominees	0	0	36	48	84
FY 1990	Vacancies	1	1	12	9	23 ^h
	Applicants	6	16	83	99	204
	Nominees	0	5	43	28	76
FY 1991	Vacancies	2	3	10	16	31 ⁱ
	Applicants	18	33	53	197	301
	Nominees	7	12	21	59	99

NOTE: Because of the pooling arrangements available under the Executive Order since Fiscal Year 1981, the number of applicants and nominees may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

^aFive vacancies that occurred in FY 83 were not filled until FY 84.

^bSix vacancies that occurred in FY 84 were not filled until FY 85.

^cTwo vacancies that occurred in FY 85 were not filled until FY 86.

^dA meeting for one District Court vacancy was not held until FY 88.

^eThree vacancies that occurred in FY 87 were not filled until FY 88.

^fOne vacancy that occurred in FY 88 was not filled until FY 89.

^gOne vacancy that occurred in FY 89 was not filled until FY 90.

^hFour vacancies that occurred in FY 90 were not filled until FY 91. A meeting for one District vacancy was not held until FY 91.

ⁱFour vacancies that occurred in FY 91 were not filled until FY 92. Meetings for three vacancies that occurred in FY 91 were held in FY 92.

Judicial Nominating Commissions

as of November 21, 1991

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and nominees are reflected on the accompanying table. In reviewing the number of applicants and nominees, it should be noted that under the Executive Order, a pooling system is used. Under this system, persons nominated for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of in-

itial nomination. The table, which shows only new applicants and nominees, does not reflect these pooling arrangements.

With respect to appointment of judges, the two vacancies on the Court of Appeals were filled by judges from the Court of Special Appeals, while two of the vacancies on the Court of Special Appeals were filled by private attorneys and one was filled by a judge from the circuit court. Nearly all of

the circuit court vacancies (8 out of 10) were filled by District Court judges. The two remaining vacancies were filled by one private attorney and one attorney from the public sector. Appointments to the District Court consisted of five attorneys from the private sector and seven attorneys from the public sector. Four of the District Court vacancies occurring during Fiscal 1991 were still awaiting appointments at the time of this analysis.

Removal and Discipline of Judges

Judges of the appellate courts run periodically in noncompetitive elections. This process is often referred to as "running on their record." A judge who does not receive a majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular contested elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges do not participate in elections, but face Senate reconfirmation every ten years. A District Court judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime...."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the charges against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity..."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.

6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever...disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a nolo plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth procedure has actually been used within recent memory. The use of this method involves an analysis and recommendation by the Commission on Judicial Disabilities. Since this commission also has the power to recommend discipline less severe than removal, it is useful to examine that body.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970. Its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows: the Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which

a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the commission has the power in limited situations to issue a private reprimand or merely a warning.

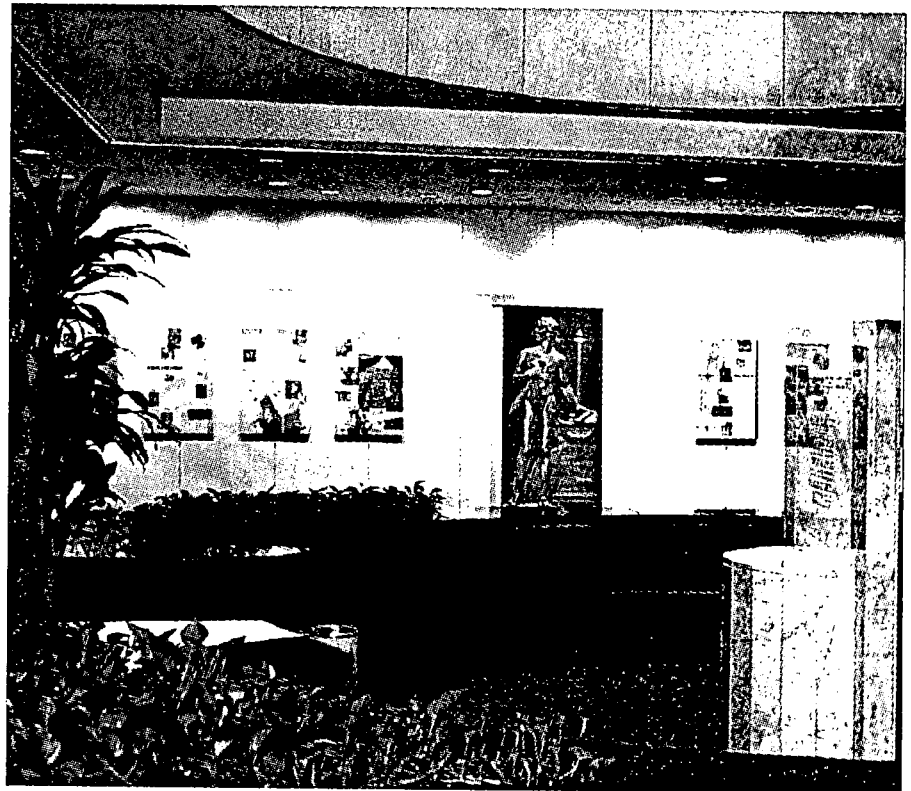
The Commission on Judicial Disabilities serves the public in a variety of ways. Its primary function is to receive, investigate and hear complaints against members of the Maryland Judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case, or some judicial ruling. While some of these complaints may not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. In an informal fashion the Commission offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered thirty-five formal complaints. Seven were initiated by practicing attorneys, two by the Commission acting on its own motion and the remainder by members of the public. Some complaints were directed simultaneously against more than one judge and sometimes a single jurist was the subject of numerous complaints. In all, twenty-six judges at the circuit court level and eleven District Court judges were the subjects of complaints.

This year, litigation over some domestic matter (divorce, alimony, custody) precipitated some ten complaints, criminal cases accounted for eleven, and the remainder resulted from conventional civil litigation or the alleged prejudice or improper demeanor of some jurist.

The Commission deals with formal complaints in a variety of ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, several judges were requested to appear before the Commission to defend charges against them. Those complaints were usually disposed of by way of discussion with the jurist involved or by a private warning. In most instances, however, complaints were not serious enough to warrant personal appearances by judges. The charges were dismissed preliminarily either because the accusations leveled were not substantiated or because, in Commission members' view, the conduct did not amount to a breach of



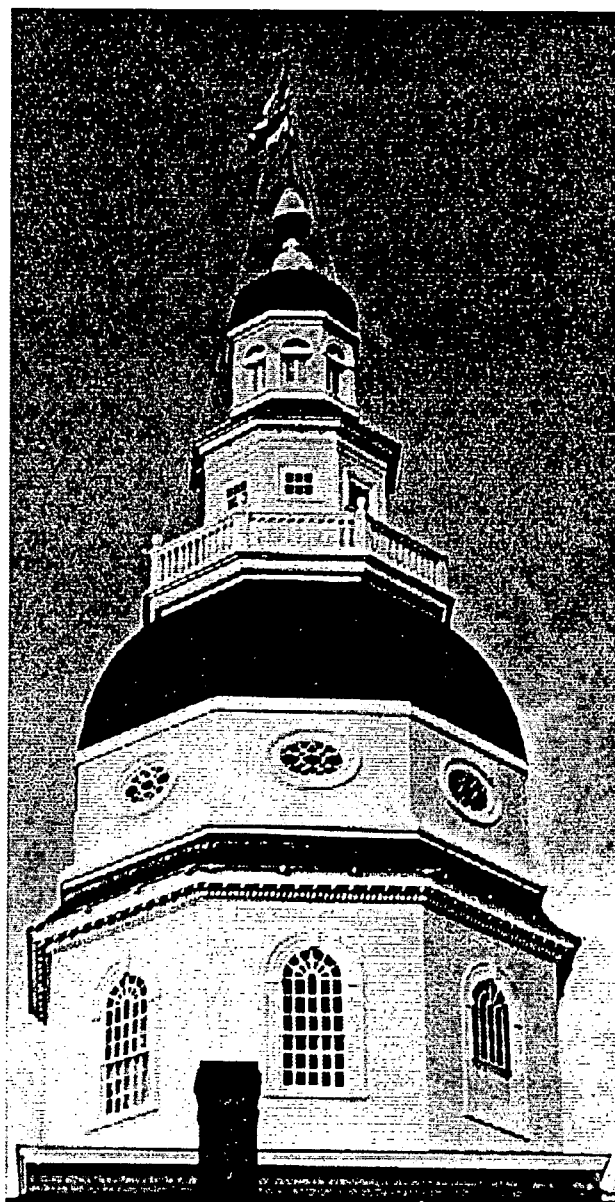
Lobby, The Courts of Appeal Building

judicial ethics.

Finally, pursuant to Rule 1227 of the Maryland Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential information concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members from around the State are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least fifteen years, and one lay person representing the general public.

1991 LEGISLATION AFFECTING THE COURTS



1991 Legislation Affecting the Courts

The 1991 Session of the General Assembly resulted in the passage of several significant bills. Some of these new laws are summarized here. A more detailed summary of 1991 legislation is available from the Administrative Office of the Courts.

1. Judicial Conference Legislation

Judgeships - Chapter 414 creates new circuit court judgeships in Montgomery, Prince George's, and Washington Counties. These three new judgeships are effective January 1, 1992, bringing the total number of Maryland circuit court judges to 123. The overall total number of judges thereby increases from 237 to 240 in all court levels.

Circuit Court Real Property Records Improvement Fund - Chapter 327 authorizes the State Court Administrator to create a fund by imposing a surcharge of up to \$5 on each recordable instrument recorded among the land records, for the purpose of improving, modernizing, and updating the equipment and equipment-related services of the land records office in each circuit court clerk's office. The Administrative Office of the Courts estimates that this fund will collect between two and four million dollars per year depending on the level of real estate activity. This fund terminates June 30, 1996.

Injunctions - Actions for Custody, Guardianship, Visitation, or Support of Child - Chapter 227 authorizes an equity court to issue an injunction to protect a party from physical harm or harassment in an action for custody, guardianship, visitation, or child support.

Courts - Appeal From Order Revoking Probation - Chapters 233

and 240 provide that an appeal from a revocation of probation is by way of application for leave to appeal; prohibits review by way of certiorari from a grant or denial by the Court of Special Appeals of leave to appeal in a probation revocation case.

2. Court Administration

State Employees - Observance of Legal Holidays - Chapter 228 adds Good Friday to the three other legal holidays (Lincoln's Birthday, Maryland Day, and Defenders' Day) on which the State maintains its daily operations.

Bail Bondsmen - Solicitation - Prohibitions - Chapter 244 makes it a misdemeanor, subject to a fine, for bail bondsmen or their agents to advertise or otherwise solicit business on the property or grounds of a courthouse, jail, or prison; requires that the court refer the bail bondsmen to the insurance commissioner for sanctions.

Interest on Lawyer Trust Accounts (IOLTA) - Public Defender - Chapter 522 makes \$750,000 of IOLTA funds available to the Public Defender for CINA (child in need of assistance) cases. This legislation was in response to a critical budget deficiency in the Office of the Public Defender and added much needed funds to that operation.

District Court - Chapter 557 increases the jurisdiction of the District Court in civil cases to \$20,000, effective January 1, 1992. This bill also increases court costs in traffic and criminal cases to \$15, effective July 1, 1991.

Courts - Continuance Due to Attorney's Legislative Duties - Chapter 558 permits an attorney re-

questing a continuance because of legislative duties to file a motion or letter with the court without personally appearing.

3. Criminal Law and Procedure

Department of Public Safety and Correctional Services - Supervision Fees - Chapter 60 requires a court to assess a monthly \$25 fee as a condition of probation whenever a person is placed under the supervision of the Division of Parole and Probation except under certain extenuating circumstances; authorizes the court to revoke probation for nonpayment of the monthly fee under certain circumstances; effective January 1, 1992.

Local Detention Centers - Sentencing - Chapter 334 extends to June 30, 1992, the provision that no sentence of 12 months or less may be to the Division of Correction.

Evidence - Battered Spouse Syndrome - Expert Testimony - Chapter 337 authorizes a court to admit expert testimony on the "battered spouse syndrome" and evidence of repeated physical and psychological abuse of the defendant by the victim, notwithstanding failure of the defenses of self-defense or imperfect self-defense.

Penitentiary Misdemeanors - Statute of Limitations - Chapter 371 exempts so-called penitentiary misdemeanors from the one-year statute of limitations applicable to most other misdemeanors; confirms and clarifies that these offenses are not subject to a statute of limitations, notwithstanding *Massey v. State*, 320 Md. 605 (1990).

Capital Cases - Post-Conviction Proceedings - Chapter 499 requires a petition for an initial post-conviction proceeding in a death

penalty case to be filed in the circuit court within 240 days after the date of an order denying a petition for a writ of certiorari by the Supreme Court of the United States; a decision affirming the death sentence by the Supreme Court of the United States; or the expiration of the time for seeking review by the Supreme Court of the United States if no review is sought; permits the circuit court to extend the time within which the petition must be filed for good cause shown. Requires that a hearing on the petition be held within 180 days of the date the petition is filed unless there is good cause for a postponement; permits the State or the defendant to file a petition for a writ of mandamus in the Court of Appeals if a hearing is not held timely.

Criminal Law - Maryland Victims of Crime Fund - Chapter 561 requires the District Court to impose an additional cost of \$30 and the circuit court to impose an additional cost of \$40 on a defendant convicted of any statutory or common law crime part of which is to be used to fund victim and witness services.

Controlled Dangerous Substances - Felonies - Possession of Firearms - Chapter 613 prohibits a person who has been convicted of a felony, an offense under the laws of the United States, another state, or the District of Columbia, that would be a felony in this State, or conspiracy or attempt to commit a felony to possess, own, carry, or transport a firearm, subject to fine, imprisonment, or both upon conviction.

4. Civil Law and Procedure

Health Care Malpractice Claims - Judicial Review - Chap-

ter 25 allows any party to reject and appeal an assessment of costs under an award made by a health care malpractice claim arbitration panel; requires the court to reassess arbitration costs if the court vacates the assessment of costs.

5. Juvenile and Family Law

Child and Spousal Support - Earnings Withholding - Chapter 37 establishes that a support order or modification passed on or after April 9, 1991, in a case being enforced by a support enforcement agency, upon request, constitutes an immediate and continuing withholding order on the earnings of the obligee for child or spousal support, unless the court finds good cause not to require immediate earnings withholding or the court approves the terms of a written agreement of the parties providing for an alternative method of payment.

Waiver of Notice - Termination of Parental Rights - Chapter 39 establishes that a waiver of notice to natural parents who cannot be located constitutes a consent to termination of parental rights with regard to adoption or guardianship.

Child and Spousal Support - Earnings Withholding - Arrearage - Chapter 77 increases the percentage of a support arrearage apportioned to each payment when an arrearage is part of an earnings withholding order to at least 10 percent but not more than 25 percent of the current payment of child and spousal support.

Child Custody and Visitation - Abuse - Chapter 98 authorizes a court in a child custody or visitation proceeding to consider, as a

factor bearing on the welfare and best interests of the child, evidence of abuse by a party against the other parent of the party's child, the party's spouse, or any child residing within the party's household, including a child other than the child who is the subject of the custody or visitation proceeding.

Petition for Adoption or Guardianship - Time Limit for Court Action - Chapter 173 requires a court to rule on petitions for adoption or guardianship where the natural parents' consent is not required within 180 days after the petition is filed. [Note: There are no sanctions specified in the Act for failure to rule timely.]

Juvenile Law - Restitution - Chapter 307 authorizes a criminal court to order restitution of up to \$5,000 against a juvenile, the juvenile's parent, or both, when the juvenile is tried as an adult; requires that the court afford the parent a reasonable opportunity to be heard, as part of the criminal proceeding against the juvenile, before entering an order of restitution against the parent.

6. Motor Vehicle Laws

Drunk and Drugged Driving - Probation Before Judgment - Chapter 101 prohibits a court from placing a person on probation before judgment for a drunk or drugged driving violation if the person has been convicted under, or has been placed on probation after being charged with a violation of, a drunk or drugged driving provision within the preceding five years.

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Definitions

Adoption, Guardianship

This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption and guardianship with right to consent to long-term care short of adoption. Guardianship of incompetents are reported in "Other General".

Adult

A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal

The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.
2. De Novo—The retrial of an entire case initially tried in the District Court.
3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:
 - Department of Personnel
 - County Commissioner
 - Department of Taxation and Assessments
 - Employment Security
 - Funeral Director
 - Liquor License Commissioners
 - Physical Therapy
 - State Comptroller (Sales

Tax, etc.)

- State Motor Vehicle Authority
- Supervisors of Elections
- Workmen's Compensation Commission
- Zoning Appeals
- Any other administrative body from which an appeal is authorized.

Application for Leave to Appeal

Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgment following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case

A matter having a unique docket number; includes original and reopened (post judgment) matters.

Caseload

The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A.

(Child in Need of Assistance)

Refers to a child who needs the assistance of the court because:

1. The child is mentally

handicapped or

2. Is not receiving ordinary and proper care and attention, and
3. The parents, guardian or custodian are unable or unwilling to give proper care and attention.

C.I.N.S.

(Child in Need of Supervision)

Refers to a child who requires guidance, treatment or rehabilitation because of habitual truancy, ungovernableness or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation

The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment

The act of a debtor in permitting judgment to be entered by a creditor immediately upon filing of a written statement by the creditor to the court.

Contracts

A case involving a dispute over oral or written agreements between two or more parties.

Breaches of verbal or written contracts

Landlord/tenant appeals from District Court

Delinquency

Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition

Entry of final judgement in a

case.

District Court—Contested

Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case

Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing

The initiation of a civil action or case in the District Court. District Court criminal and motor vehicle cases are reported as "processed" rather than as "filed".

Divorce, Nullity

A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket

Formal record of court proceedings.

Filing

Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings.

Fiscal Year

The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1989, to

June 30, 1990.

Hearings

- **Criminal**—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

Examples of Hearings in Criminal

- Arraignment
- Discovery motion
- Guilty plea
- Motion to quash
- Motion to dismiss
- Motion for change of venue
- Motion to continue
- Motion to suppress
- Motion to sever
- Nolo contendere
- Not guilty with agreed statement of facts
- Sentence modifications
- Violation of probation

- **Civil**—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Civil

- Motion to compel an answer to an interrogatory
- Motion ne recipiatur
- Motion for judgment by default
- Demurrer
- Motion for summary judgment
- Motion to vacate, open, or modify confession of judgment
- Preliminary motions presented in court, including motions for continuance
- Determination of alimony pendente lite, temporary cus-

tody, etc., in a divorce case

—Contempt or modification hearings

- **Juvenile**—A presentation before a judge, master, or examiner on the record in the presence of a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Juvenile

- Preliminary motions presented in court
- Arraignment or preliminary inquiry
- Detention (if after filing of petition)
- Merits or adjudication
- Disposition
- Restitution
- Waiver
- Review
- Violation of probation

Indictment

The product of a grand jury proceeding against an individual.

Information

Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer-Motor Vehicle

A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer-Other (Criminal)

A request for a trial by jury in the circuit court for charges normally heard in the District Court, except traffic charges or nonsupport.

Miscellaneous Docket

Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts

Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals

An appeal of a District Court verdict in a traffic charge.

Nolle Prosequi

A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport

A criminal case involving the charge of nonsupport.

Original Filing

See "Filing."

Other Appeals (Criminal)

An appeal of a District court verdict except one arising from a traffic charge or nonsupport.

Other Domestic Relations

Matters related to the family other than divorce, guardianship, adoption or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity

This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law

This category includes, among other things, conversion, detinue, ejectment, issues from Orphans'

Court, attachments on original process, and mandamus.

Other Torts

Personal injury and property damage cases resulting from:

- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity

A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case

Case in which no final disposition has occurred.

Post Conviction

Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing

The first hearing held on a case after a final judgment on the origi-

nal matters has been entered.

Stet

Proceedings, are stayed; one of the ways a case may be terminated.

Termination

Same as "Disposition."

Trials

• Criminal

Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.

Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.

• Civil

Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. Note: "Merits" is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that might be considered merits in a civil case.

Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category

A case that has been reported but not specifically identified as to case type by the reporting court.

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